

**FINAL STATUS
OF
NATURAL
RESOURCE
LEGISLATION
IN
THE 50TH
MONTANA
LEGISLATURE**

Montana Environmental Quality Council
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1987

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PREFACE

The **Final Status of Natural Resource Legislation in the 50th Montana Legislature** provides a listing of environmental bills and resolutions introduced in 1987.

It can be used as a research tool by legislators and others to evaluate developments in natural resource legislation and plan future legislation.

The bills in the status are organized by subject, number and status (passed or killed). For each bill, the short title, long title, committee assignments and relevant votes are included.

In the natural resource field, the 1987 Legislature focused on hazardous materials, coal tax rates, air quality, water adjudication, subdivisions, forest practices, and as always, fish and wildlife management.

Although few hazardous waste programs were initiated, legislators worked to fine tune existing programs. The legislation that emerged led to some important changes. House Bills 760 and 777 established state capability to match federal clean-up money under the Superfund program. Another significant bill increased the regulation of hazardous waste transfer facilities, and HB 718 allocated 4 percent of resource indemnity trust revenues to clean up non-Superfund hazardous waste sites.

The Montana Environmental Policy Act was changed by SB 184, which exempts permits to drill oil and gas wells from MEPA for 2 years and directs the Governor's Office to manage the preparation of a programmatic environmental impact statement on behalf of the Board of Oil and Gas Conservation. The intent of the legislation is to examine the environmental effects of a typical oil and gas well in order to provide a basis for the Board of Oil and Gas Conservation to comply with MEPA when issuing drilling permits.

House Bill 534, which changed Montana's annual and twenty-four hour average standards for sulfur dioxide to the less stringent federal standards, passed both houses after lengthy, spirited debates.

The stand-out water adjudication bill, HB 754, established priority basins for water adjudication, revised qualifications for water judges and, most significantly, resulted in the allocation of \$75,000 to the Water Policy Committee for hiring a consultant to study Montana's water adjudication process.

Senate Bill 329 generally revised the Montana Natural Areas Act of 1974 to provide for a natural areas "system." Composed of federal, state, county, and private lands, the system will include an equitable representation of all the natural features found in Montana.

An important bill that did not pass in 1987 concerned subdivisions. House Bill 809, which was tabled in committee, represented an effort by realtors, planners, environmentalists, surveyors and county commissioners, among others, to come to a consensus on the regulation of subdivision development on Montana.

A forest practices act, HB 781, was also tabled in committee, but a related resolution passed. HJR 49 directed the Environmental Quality Council to study forest practices and watershed effects in Montana and to report to the 51st Legislature.

The Environmental Quality Council prepared the **Final Status of Natural Resource Legislation in the 50th Montana Legislature** as a service to legislators and the public. The Montana Environmental Policy Act, enacted in 1971, charges the council with researching and reviewing state regulations and policies affecting Montana's environment, and recommending measures to promote the general welfare of present and future generations of Montanans. For more information on EQC publications and activities write the EQC, Capitol Station, Helena, MT 59620, or phone (406) 444-3742.

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1987

AIR QUALITY

Passed

HB 534 Hannah

REVISING AMBIENT AIR QUALITY STANDARDS FOR SULFUR DIOXIDE

An act directing the amendment of rule 16.8.820, Administrative Rules of Montana, to maintain existing air quality through adoption of the federal annual average and 24-hour average standards for ambient air quality for sulfur dioxide in areas currently exceeding the state annual average and 24-hour average standards; requiring the Board of Health and Environmental Sciences to study the health effects of sulfur dioxide in areas with major industrial sources; and providing an immediate effective date.

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 70-29; Senate 36-14

Third Reading Votes: House 72-28; Senate 36-14

Senate amended, House concurred 80-17.

HB 878 Addy

APPROPRIATION FOR AIR QUALITY MONITORS IN YELLOWSTONE COUNTY

An act to appropriate to the Department of Health and Environmental Sciences \$50,000 for the establishment and operation of air quality monitoring stations in Yellowstone County, contingent upon the contribution of matching funds from private industries.

Committee Hearings: House Appropriations
Senate Public Health, Welfare & Safety

Second Reading Votes: House 88-5; Senate 30-10

Third Reading Votes: House 83-9; Senate 36-14

Killed

HB 675 Miles

REVISING AND CLARIFYING THE CLEAN INDOOR AIR ACT

An act generally revising and clarifying the Montana Clean Indoor Air Act; requiring that a nonsmoking area be designated in every enclosed public place and that smoking be prohibited in the work area of nonsmokers in some places of work; fining a person who smokes in a designated nonsmoking area and increasing the fine for failure to designate a nonsmoking area; allowing an injunction to be sought to enforce compliance with the act.

Amending sections 50-40-102 through 50-40-105 and 50-40-107 through 50-40-109, MCA

Repealing section 50-40-201, MCA

Committee Hearings: House Human Services & Aging
Failed Second Reading in House 38-57.

HB 735 Glaser

PHASES IN NEW SOURCE PERFORMANCE STANDARDS FOR AIR QUALITY;
RELAXES SULFUR DIOXIDE STANDARD

An act directing an amendment to rule 16.8.820, Administrative Rules of Montana, to adopt the federal 24-hour average and annual average standards for ambient air quality for sulfur dioxide; requiring that all sources of emissions for various air pollutants meet federal new source performance standards adopted for those sources within 10 years; and providing an immediate effective date.

Committee Hearings: Not scheduled (assigned to House
Natural Resources)
Died in House. Failed to meet transmittal deadline.

HB 773 Kadas

ALLOWS LOCAL MOTOR VEHICLE FEE TO FUND LOCAL AIR POLLUTION
CONTROL PROGRAM

An act allowing a local air pollution control program fee of \$1.50 to be assessed against certain motor vehicles; and providing an applicability date.

Amending section 75-2-301, MCA

Committee Hearings: House Local Government
Tabled in House Committee.

HB 877 Addy

APPROPRIATION TO DEVELOP AIR QUALITY MODEL FOR YELLOWSTONE COUNTY AIRSHED

An act to appropriate \$300,000 to the Department of Health and Environmental Sciences for the development and refinement of an air quality model for the Yellowstone County airshed.

Committee Hearings: House Appropriations
Tabled in House Committee.

ENERGY CONVERSION, CONSERVATION AND RATES

Major Facility Siting

Passed

HB 308 Miles

EXEMPTS DAMS FROM THE DAM SAFETY ACT THAT ARE SUBJECT TO THE MONTANA MAJOR FACILITY SITING ACT

An act to exempt facilities certified under the Montana Major Facility Siting Act from certain provisions of the Montana Dam Safety Act; and providing an immediate effective date.

Amending section 85-15-107, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 97-0; Senate 49-0

Third Reading Votes: House 97-0; Senate 50-0

HB 397 Spaeth

INCREASES THE KILOVOLT THRESHOLD FOR TRANSMISSION LINES UNDER THE MONTANA MAJOR FACILITY SITING ACT

An act to increase under certain conditions the kilovolt threshold for the purpose of defining a transmission line under the Montana Major Facility Siting Act; to provide for notice to the public and to the Department of Natural Resources and Conservation; to provide for verification of landowner consent; and providing an immediate effective date and an applicability date.

Amending section 75-20-104, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 65-30; Senate 38-8

Third Reading Votes: House 68-28; Senate 41-7

Senate amended, House concurred 69-22.

Governor amended, House concurred 79-17; Senate concurred 48-2.

HB 404 Harp

PROVIDES A TIME LIMIT FOR CENTERLINE DECISIONS

An act to provide a time limit for the Board of Natural Resources and Conservation to reach a decision on centerline location; and providing an immediate effective date.

Amending section 75-20-205, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 93-4; Senate 50-0

Third Reading Votes: House 94-0; Senate 49-0

SB 292 Keating

GENERALLY REVISES THE MONTANA MAJOR FACILITY SITING ACT

An act to eliminate baseline studies of alternative sites for energy generation and conversion facilities from the Montana Major Facility Siting Act; to clarify rule-making authority of the Board of Natural Resources and Conservation.

Amending sections 75-20-105, 75-20-211, 75-20-216, 75-20-219, 75-20-301, 75-20-304, and 75-20-1205, MCA

Committee Hearings: Senate Natural Resources
House Natural Resources

Second Reading Votes: Senate 44-2; House 66-27

Third Reading Votes: Senate 47-3; House 76-22

House amended, Senate concurred 49-0.

Killed

SB 233 Keating

AMENDS THE MAJOR FACILITY SITING ACT BY REDEFINING UTILITY

An act to revise the Major Facility Siting Act by redefining utility and thereby clarifying that a non-utility is not required to demonstrate the need for a proposed facility.

Amending sections 75-20-102, 75-20-104, 75-20-201, 75-20-211, and 75-20-301, MCA

Committee Hearings: Senate Natural Resources
Died in Senate Committee.

Renewable Energy and Conservation

Passed

HB 231 Fritz

INCREASES UTILITY TAX CREDIT FOR LOANS TO CONSUMERS FOR
ENERGY CONSERVATION

An act increasing the amount of tax credit a utility may
claim for loans to consumers for energy conservation
measures.

Amending section 15-32-107, MCA

Committee Hearings: House Business & Labor
Senate Taxation

Second Reading Votes: House 95-1; Senate 48-0

Third Reading Votes: House 95-3; Senate 49-0

HB 242 Harper

EXPANDS UTILITY CONSERVATION EXPENDITURES ELIGIBLE FOR RATE
BASE INCLUSION

An act to expand conservation purchases and investments made
by utilities that are eligible for inclusion in rate base;
amending the definition of residential building; and
providing an immediate effective date.

Amending sections 69-3-701 and 69-3-702, MCA

Committee Hearings: House Business & Labor
Senate Business & Industry

Second Reading Votes: House 95-1; Senate 50-0

Third Reading Votes: House 96-2; Senate 41-0

HB 621 Quilici

ALLOCATES FEDERAL OIL OVERCHARGE MONEY

An act appropriating oil overcharge money for programs administered by the State of Montana; establishing an energy conservation and energy assistance account; and providing effective dates.

Amending section 17-7-502, MCA

Committee Hearings: House Appropriations
Senate Finance & Claims
Second Reading Votes: House 90-6; Senate 50-0
Third Reading Votes: House 89-4; Senate 47-3
Senate amended, House concurred 83-8.

Killed

HB 551 Sands

APPROPRIATES EXXON OVERCHARGE FUNDS FOR LOW-INCOME HOME WEATHERIZATION

An act appropriating funds for low-income home weatherization from the Exxon Corporation overcharge payment; and providing an effective date.

Committee Hearings: House Appropriations
Tabled in House Committee.

HB 663 Connelly

APPROPRIATING MONEY FOR ENERGY CONSERVATION ASSISTANCE TO NEW SCHOOLS

An act appropriating \$200,000 to the Superintendent of Public Instruction from the stripper well payment contained in the federal special revenue account, for energy conservation assistance to new schools.

Committee Hearings: House Appropriations
House Adverse Committee Report adopted 60-27.

HB 698 Driscoll

REQUIRING THAT GENERAL RELIEF RECIPIENTS BE HIRED FOR WEATHERIZATION WORK

An act appropriating funds from the Exxon Corporation overcharge payment to the Department of Social and Rehabilitation Services for low-income home weatherization projects; and requiring that general assistance recipients be given preference for jobs created by this program.

Committee Hearings: House Appropriations
Tabled in House Committee.

HB 767 Fritz

ALLOWS USE OF ALTERNATIVE FINANCING ARRANGEMENTS TO ACQUIRE
STATE BUILDINGS

An act permitting the Director of the Department of Administration and affected state agencies to enter into agreements providing certain financing arrangements for the acquisition, renovation, and energy modification of state buildings; permitting the director to adopt rules concerning acquisition, renovation, and energy modification of state buildings using these financing arrangements.

Repealing 18-3-1, MCA

Committee Hearings: House State Administration
Senate State Administration

Second Reading Votes: House 92-5

Third Reading Votes: House 89-9

Senate Adverse Committee Report adopted 48-1.

Other

Passed

HJR 28 Driscoll

SUPPORT FOR EFFORTS TO DEVELOP COMMERCIAL
MAGNETOHYDRODYNAMICS TECHNOLOGY

A joint resolution of the Senate and the House of Representatives of the State of Montana in support of the national effort to advance the development of magnetohydrodynamics technology to a commercially viable stage.

Committee Hearings: House Business & Labor
Senate Business & Industry

Second Reading Votes: House 93-2; Senate 48-0

Third Reading Votes: House 90-1; Senate 49-0

Killed

HB 657 Rapp-Svrcek

REQUIRES HYDROELECTRIC DAM OWNERS TO CONSULT WITH AGENCIES
REGARDING FISHERY IMPACTS

An act requiring operators of hydroelectric dams to consult with the Department of Fish, Wildlife, and Parks, Department of Health and Environmental Sciences, and Department of Natural Resources and Conservation concerning the effects of dam operations on fisheries; requiring notice of reservoir drawdowns that would adversely affect fisheries; and providing an immediate effective date.

Committee Hearings: House Natural Resources
Tabled in House Committee.

HB 753 Ramirez

APPOINTMENT OF PUBLIC SERVICE COMMISSIONERS

An act providing for the appointment of public service commissioners; providing for a nomination committee; providing for transition to an appointed commission; and amending sections 69-1-102 through 69-1-107, MCA

Committee Hearings: House State Administration
House Adverse Committee Report adopted 70-20.

ENVIRONMENTAL QUALITY

Administration

Passed

HB 29 Bardanouve

MOVING STATE LAND RECORDS TO DEPARTMENT OF STATE LANDS

An act transferring state ownership records from the Secretary of State to the Department of State Lands; requiring the Department of State Lands to transfer records of other state property interests to the state agency administering the property; requiring the Department of State Lands to maintain a repository and index of ownership records of state lands; requiring state agencies to file ownership records with the Department of State Lands; granting rule-making authority to the Department of State Lands.

Amending sections 2-6-111, 2-15-401, and 77-1-101, MCA
Repealing sections 2-17-121 through 2-17-126, MCA

Committee Hearings: House State Administration
House Appropriations
Senate State Administration

Second Reading Votes: House 93-0; Senate 49-0
Third Reading Votes: House 97-0; Senate 50-0

HB 453 Brandewie

AUTHORIZES DEPARTMENT OF COMMERCE TO REPRESENT TOURISM IN
FLATHEAD LAKE MANAGEMENT

An act to authorize the Department of Commerce to serve as an ombudsman for the tourism industry and recreationists in matters concerning the management of the level of Flathead Lake; and providing an immediate effective date.

Amending section 90-1-104, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 78-19; Senate 50-0
Third Reading Votes: House 81-13; Senate 43-7

HB 718 Harper

REALLOCATING ENVIRONMENTAL CONTINGENCY ACCOUNT TO
ENVIRONMENTAL QUALITY PROTECTION FUND

An act allocating funds from the interest income of the resource indemnity trust fund to the environmental quality protection fund; specifying uses of the environmental quality protection fund; and providing an effective date.

Amending sections 15-38-202, 75-10-704, and 75-10-715, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 79-11; Senate 50-0
Third Reading Votes: House 82-10; Senate 45-5
Senate amended, House concurred 94-1.

Killed

HB 378 Cobb

TRANSFERS SUPERVISION OF STATE PARKS FROM DEPARTMENT OF
FISH, WILDLIFE, & PARKS TO DEPARTMENT OF STATE LANDS

An act transferring supervision of state parks from the Department of Fish, Wildlife, and Parks to the Department of State Lands; and providing a delayed effective date.

Amending sections 23-1-101, 23-1-102, 23-1-108 23-2-101
through 23-2-103, 87-1-209, 87-1-712, and 87-1-713, MCA

Committee Hearings: House Fish & Game
Tabled in House Committee.

HB 445 Cohen

REMOVING REQUIREMENT THAT DEPARTMENT OF HEALTH &
ENVIRONMENTAL SCIENCES' DIRECTOR BE A PHYSICIAN

An act removing the requirement that the Director of the Department of Health and Environmental Sciences be a physician; and providing an applicability date and an immediate effective date.

Amending section 2-15-2101, MCA
Repealing section 2-15-2102, MCA

Committee Hearings: House State Administration
House Adverse Committee Report adopted 73-24.

HB 538 Winslow

REORGANIZATION OF DELIVERY OF SERVICES BY STATE HUMAN
SERVICE AGENCIES

An act reorganizing the delivery of human services by state government; providing for the elimination of the Department of Social and Rehabilitation Services, the Department of Institutions and the Department of Health and Environmental Sciences; providing for the creation of the Department of Youth, Family and Aging Services and the Department of Disability Services; renaming the Department of Labor and Industry; providing for the reallocation of functions among the new departments and the Departments of Labor and Industry, Commerce, Justice, and Natural Resources and Conservation; providing such reorganization to be effective July 1, 1989; providing for a transition period and a legislative oversight committee; providing an appropriation; and providing effective dates and a partial termination date.

Amending section 2-15-104, MCA

Committee Hearings: House State Administration
Senate Finance & Claims

Second Reading Votes: House 88-8

Third Reading Votes: House 85-6

Senate Adverse Committee Report adopted 47-3.

HB 631 Hayne

REDUCES THE SIZE OF THE BOARD OF OIL AND GAS CONSERVATION

An act to reduce the size of the Board of Oil and Gas Conservation and to amend the qualification requirements for the members; and providing an immediate effective date.

Amending section 2-15-3303, MCA

Committee Hearings: House Natural Resources
Tabled in House Committee.

TRANSFERRING SUPERFUND PROGRAM AND RESOURCE INDEMNITY TRUST
GRANT PROGRAM FROM DEPARTMENT OF HEALTH & ENVIRONMENTAL
SCIENCES/DEPARTMENT OF NATURAL RESOURCES & CONSERVATION TO
DEPARTMENT OF STATE LANDS

An act transferring the administration of state participation in the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 from the Department of Health and Environmental Sciences to the Department of State Lands; transferring administration of the Resource Indemnity Trust Grants Program from the Department of Natural Resources and Conservation to the Department of State Lands; and providing an effective date.

Amending sections 75-1-1101, 75-1-1102, and 75-1-1112, MCA

Committee Hearings: House State Administration
House Adverse Committee Report adopted 79-17.

HB 753 Ramirez

APPOINTMENT OF PUBLIC SERVICE COMMISSIONERS

An act providing for the appointment of public service commissioners; providing for a nomination committee; providing for transition to an appointed commission.

Amending sections 69-1-102 through 69-1-107, MCA

Committee Hearings: House State Administration
House Adverse Committee Report adopted 70-20.

HB 775 Spaeth

TRANSFERS DEPARTMENT OF NATURAL RESOURCES & CONSERVATION
PROPRIETARY WATER FUNCTIONS TO DEPARTMENT OF STATE LANDS

An act to transfer functions relating to state-owned water projects from the Department and Board of Natural Resources and Conservation to the Department of State Lands and Board of Land Commissioners; generally revising the laws to conform to the transfer; and providing an effective date.

Amending sections 85-1-102, 85-1-201, 85-1-204, 85-1-214, 85-1-406, and 85-6-109, MCA

Committee Hearings: House Natural Resources
Tabled in House Committee.

SB 265 Bishop

ALLOWS FISH AND GAME COMMISSION TO APPOINT DIRECTOR OF
DEPARTMENT

An act to provide that the Fish and Game Commission is the head of the Department of Fish, Wildlife, and Parks; to allow the commission to appoint the director of the department; to revise the method of appointing commission members.

Amending sections 2-15-3401, 2-15-3402, 87-1-101, and 87-1-401, MCA

Committee Hearings: Senate Fish & Game
Senate Adverse Committee Report adopted 45-2.

Montana Environmental Policy Act

Passed

SB 184 Tveit

EXEMPTING ISSUANCE OF PERMITS TO DRILL OIL OR GAS WELLS FROM
MONTANA ENVIRONMENTAL POLICY ACT

An act to declare that the issuance of a permit to drill an oil or gas well is not a major action of state government under the provisions of the Montana Environmental Policy Act until a programmatic environmental statement is adopted; and providing an immediate effective date.

Amending section 75-1-201, MCA

Committee Hearings: Senate Natural Resources
House Natural Resources

Second Reading Votes: Senate 28-21; House 91-3

Third Reading Votes: Senate 28-22; House 82-13

House amended, Senate concurred 49-0.

Killed

HB 830 Keenan

EXEMPTS ENVIRONMENTAL REVIEWS FROM THE SMALL MINER
CONFIDENTIALITY PROVISION

An act to exempt environmental reviews from confidentiality provisions pertaining to small miners.

Amending section 82-4-306, MCA

Committee Hearings: House Natural Resources
Tabled in House Committee.

SB 86 Gage

UNIFORM DORMANT MINERAL INTERESTS ACT

An act adopting the Uniform Dormant Mineral Interests Act; providing a method for terminating dormant mineral interests that impair the marketability of real property; and providing a means of preserving the mineral interest.

Committee Hearings: Senate Natural Resources
Tabled in Senate Committee.

HB 879 Cobb

APPROPRIATION TO STUDY THE ENVIRONMENTAL IMPACTS OF OIL AND GAS DRILLING

An act appropriating funds for a programmatic review of the environmental impacts of oil and gas drilling and production and related rules and drill permitting requirements of the Board of Oil and Gas Conservation; and requiring participation by the Department of Natural Resources and Conservation in the review.

Committee Hearings: House Appropriations
Tabled in House Committee.

FISH AND WILDLIFE

Hunting, Fishing, Trapping, Outfitting

Passed

HB 64 Hanson, M.

PROVIDES FOR BOW HUNTER COMPETENCY TRAINING

An act requiring competency training for persons under 18 years of age before purchasing a bow and arrow hunting license; increasing the bow and arrow license fee by \$1; and providing a delayed effective date.

Amending sections 87-2-105 and 87-2-708, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game

Second Reading Votes: House 94-5; Senate 50-0

Third Reading Votes: House 90-7; Senate 48-2

Senate amended, House concurred 85-11.

HB 93 Hanson, M.

ALLOWS TAKING OF CATFISH WITH LONGBOW AND ARROW

An act to allow the taking of catfish and nongame fish with longbow and arrow; and providing an immediate effective date.

Amending section 87-3-204, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game

Second Reading Votes: House 88-4; Senate 50-0

Third Reading Votes: House 95-2; Senate 49-1

HB 183 Ellison

AUTHORIZES FISH AND GAME COMMISSION TO SET FEES FOR CERTAIN LICENSES

An act to authorize the Department of Fish, Wildlife, and Parks to set fees for certain licenses authorized by the Fish and Game Commission for game management purposes; and providing an immediate effective date.

Amending section 87-2-104, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game

Second Reading Votes: House 93-1; Senate 50-0

Third Reading Votes: House 98-0; Senate 50-0

HB 211 Devlin

PROHIBITS HARASSMENT OF SPORTSMEN

An act to prohibit harassment of hunters and trappers.

Committee Hearings: House Fish & Game
Senate Fish & Game

Second Reading Votes: House 73-23; Senate 49-1

Third Reading Votes: House 76-23; Senate 48-2

Senate amended, House concurred 88-3.

HB 298 Rapp-Svrcek

RESTRICTIONS ON SPECIAL BIG GAME LICENSES

An act to provide additional restrictions on special hunting licenses; authorizing the Fish and Game Commission to require an applicant for a special permit to hold a big game license; limiting the taking of grizzly bears to one per lifetime; and providing an immediate effective date.

Amending section 87-2-702, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game

Second Reading Votes: House 86-10; Senate 34-10

Third Reading Votes: House 78-13; Senate 40-9

HB 329 Ream

RESTITUTION FOR ILLEGAL KILLING OF WILDLIFE

An act requiring restitution for certain illegal killing or possession of wildlife; providing a penalty; and providing for disposition of restitution money.

Committee Hearings: House Fish & Game
Senate Fish & Game

Second Reading Votes: House 83-15; Senate 50-0

Third Reading Votes: House 84-13; Senate 48-2

Senate amended, House concurred 58-40.

HB 406 Grady

ESTABLISHES LICENSING OF OUTFITTERS BY BOARD OF OUTFITTERS
IN DEPARTMENT OF COMMERCE

An act to change the name of the Montana Outfitters' Council to the Board of Outfitters; to revise the method of selection of members; to transfer the council to the Department of Commerce; to transfer licensing authority for outfitters and guides from the Department of Fish, Wildlife, and Parks to the Board of Outfitters; to provide penalties for violations; and providing an immediate effective date for a portion of the act and a termination date.

Amending sections 2-15-3403, 87-4-101, 87-4-102, 87-4-104, 87-4-127, 87-4-128, and 87-4-14, MCA

Repealing sections 87-4-105, 87-4-106, and 87-4-144, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game

Second Reading Votes: House 86-9; Senate 33-12

Third Reading Votes: House 90-9; Senate 42-8

Senate amended, House concurred 81-11.

HB 424 Moore

REVISES PENALTY FOR UNLAWFULLY TAKING FUR-BEARING ANIMAL

An act to revise the penalty for the unlawful taking or possession of a fur-bearing animal.

Amending section 87-1-102, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game
Second Reading Votes: House 86-8; Senate 49-0
Third Reading Votes: House 82-10; Senate 47-1

HB 429 Schye

PROVIDES FOR FISH AND GAME COMMISSION APPROVAL FOR AWARDING FISHING PRIZES

An act to provide for Fish and Game Commission approval of the awarding of prizes for the taking of protected fish in state waters.

Amending section 87-3-121, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game
Second Reading Votes: House 73-9; Senate 49-0
Third Reading Votes: House 90-9; Senate 50-0

HB 486 Koehnke

REVISES SHOTGUN AND MUZZLELOADER HUNTING

An act to revise the authority of the Fish and Game Commission in regulating shotgun and muzzleloader hunting of deer and elk.

Amending sections 87-3-301 and 87-1-304, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game
Second Reading Votes: House 95-0; Senate 47-1
Third Reading Votes: House 100-0; Senate 47-3
Senate amended, House concurred 90-1.

HB 533 Campbell

RESERVES 25 ANTELOPE LICENSES FOR DISABLED APPLICANTS

An act to reserve 25 special antelope licenses for non-ambulatory disabled persons; and providing a delayed effective date.

Amending section 87-2-706, MCA

Committee Hearings: House Human Services & Aging
Senate Fish & Game
Second Reading Votes: House 92-2; Senate 41-0
Third Reading Votes: House 97-2; Senate 49-0

HB 535 Ellison

REVISES NUMBER AND ALLOCATION OF NONRESIDENT COMBINATION
HUNTING LICENSES

An act allocating Class B-10 nonresident combination hunting and fishing licenses between applicants intending to employ licensed outfitters and all other applicants; creating a Class B-11 nonresident combination license that includes a fishing, game bird, and deer license; limiting the number of authorized Class B-11 licenses to 6,000; providing a method for allocating Class B-11 nonresident combination licenses among hunters with licensed outfitters, hunters with resident landowner sponsors, and other hunters; and providing a delayed effective date.

Amending section 87-2-504, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game

Second Reading Votes: House 55-39; Senate 33-17

Third Reading Votes: House 67-32; Senate 34-16

SB 53 Smith, E.

ELIMINATES PRIVATE PROPERTY RIGHTS IN WILD FUR-BEARING
ANIMALS

An act eliminating private property rights in wild fur-bearing animals; making it unlawful to capture a furbearer from the wild.

Repealing sections 70-2-112 and 70-2-113, MCA

Committee Hearings: Senate Fish & Game
House Fish & Game

Second Reading Votes: Senate 49-0; House 90-8

Third Reading Votes: Senate 46-2; House 74-17

SB 109 Bishop

AUTHORIZES AUCTION OF SHIRAS MOOSE LICENSE

An act to authorize the Fish and Game Commission to auction one male shiras moose license each year; and to provide that money generated by such auction be used for the benefit of moose.

Committee Hearings: Senate Fish & Game
House Fish & Game

Second Reading Votes: Senate 50-0; House 92-4

Third Reading Votes: Senate 48-1; House 91-4

SB 171 Yellowtail, Jr.

SEPARATES UPLAND GAME BIRD AND WATERFOWL LICENSES

An act to separate upland game bird licenses from waterfowl licenses; and providing an immediate effective date.

Amending sections 87-2-401, 87-2-402, 87-4-504, and 87-5-204, MCA

Committee Hearings: Senate Fish & Game
House Fish & Game

Second Reading Votes: Senate 49-0; House 84-4

Third Reading Votes: Senate 50-0; House 91-5

SB 172 Yellowtail, Jr.

PURCHASE OF HUNTING LICENSES FOR FAMILY MEMBERS

An act to allow a resident to purchase hunting and fishing licenses for family members; and providing an immediate effective date.

Amending section 87-2-106, MCA

Committee Hearings: Senate Fish & Game
House Fish & Game

Second Reading Votes: Senate 47-0; House 85-2

Third Reading Votes: Senate 49-1; House 93-3

SB 219 Meyer

LANDOWNER PREFERENCE FOR SPECIAL ELK PERMIT

An act to provide a landowner preference for a Class A-7 antlerless elk license or a special elk permit.

Amending sections 87-2-501 and 87-2-705, MCA

Committee Hearings: Senate Fish & Game
House Fish & Game

Second Reading Votes: Senate 49-0; House 49-31

Third Reading Votes: Senate 46-3; House 61-35

House amended, Senate not concurred 50-0.

Conference Committee: Senate 50-0; House 67-29.

SB 331 Smith

ESTABLISHES PHEASANT ENHANCEMENT PROGRAM

An act to establish a pheasant enhancement program to be administered by the Department of Fish, Wildlife, and Parks; to provide funding through increased license fees; and providing a delayed effective date.

Amending sections 87-2-401, 87-2-402, 87-2-505, and 87-2-711, MCA

Committee Hearings: Senate Fish & Game
House Taxation

Second Reading Votes: Senate 39-6; House 67-27

Third Reading Votes: Senate 46-3; House 82-15

House amended, Senate not concurred 50-0.

Conference Committee: Senate 49-1; House 84-15.

Killed

HB 16 Cobb

AUTHORIZES 4,000 ADDITIONAL NONRESIDENT COMBINATION LICENSES FOR BOW HUNTERS

An act to authorize an additional 4,000 nonresident big game combination licenses; restricting such licenses to bow and arrow hunting only; and providing an immediate effective date.

Amending section 87-2-505, MCA

Committee Hearings: House Fish & Game
Tabled in House Committee.

HB 33 Cobb

IMPOSES QUOTA FOR HUNTING BLACK BEAR AND MOUNTAIN LION

An act to require establishment of quotas for hunting black bear and mountain lion; and providing an effective date.

Amending section 87-1-304, MCA

Committee Hearings: House Fish & Game
House Adverse Committee Report adopted 82-12.

HB 104 Daily

APPORTIONMENT OF NONRESIDENT BIG GAME COMBINATION LICENSES

An act to apportion the authorized nonresident big game combination licenses between applicants intending to employ outfitters and other applicants according to the total number of applicants in each category; to provide for a drawing when the number of applicants exceeds the number of licenses authorized to be issued.

Amending section 87-2-505, MCA

Committee Hearings: House Fish & Game
House Adverse Committee Report adopted 55-26.

HB 137 Jenkins

ESTABLISHES THREE NONRESIDENT BIG GAME COMBINATION LICENSES

An act to establish three separate nonresident big game combination licenses; to limit the number of licenses authorized for sale; and providing an effective date.

Amending sections 87-2-504 and 87-2-505, MCA

Committee Hearings: House Fish & Game
Tabled in House Committee.

HB 247 Cobb

ALLOCATION OF B-10 LICENSES BY FISH AND GAME COMMISSION

An act to authorize the Fish and Game Commission to allocate a portion of the Class B-10 nonresident big game combination licenses to applicants employing licensed outfitters.

Amending section 87-2-505, MCA

Committee Hearings: House Fish & Game
Tabled in House Committee.

HB 352 Schye

REVISES OFFENSE OF ILLEGAL SPOTLIGHTING

An act to revise the offense of illegal spotlighting by establishing the purpose to hunt any animal an element of the offense and by removing the peace officer and landowner exemption from the offense.

Amending section 87-3-122, MCA

Committee Hearings: House Fish & Game
Tabled in House Committee.

HB 379 Asay

CREATING PRIVATE LANDS WILDLIFE MANAGEMENT ACT

An act to provide for the establishment and operation of private wildlife management areas; to provide for licensing and review of such areas by the Fish and Game Commission and the Department of Fish, Wildlife and Parks; and providing an immediate effective date and a termination date.

Committee Hearings: House Fish & Game
Failed Second Reading in House 35-62.

HB 394 Menahan

PROVIDES THAT STATE PRISON RANCH LAND MAY NOT BE SOLD OR LEASED WITHOUT RESTRICTIONS

An act to provide that state land now operated as the Montana State Prison Ranch may not be sold or leased unless a permanent right of public access and continued maintenance of the elk winter range is guaranteed; and providing an immediate effective date.

Amending sections 53-1-202 and 77-2-302, MCA

Committee Hearings: House Fish & Game
Tabled in House Committee.

HB 407 Grady

NONRESIDENT LANDOWNER RESIDENCY EXCEPTION FOR BIG GAME
LICENSE

An act to allow nonresidents to hunt deer, antelope, and elk on their own property with a resident license; to prohibit the use of a resident hunting, fishing, or trapping license by a nonresident except as permitted by law; and providing an effective date.

Amending section 87-2-102 and 87-2-106, MCA

Committee Hearings: House Fish & Game
Tabled in House Committee.

HB 431 Phillips

ALLOWS HUNTING OF LYNX WITH DOGS

An act to allow the use of dogs to hunt lynx.

Amending section 87-3-124, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game
Second Reading Votes: House 57-37; Senate 17-32
Third Reading Votes: House 57-38
Indefinitely postponed in Senate 33-17.

HB 463 Cobb

MANAGEMENT OF SUN RIVER GAME PRESERVE AND OTHER WILDLIFE
MANAGEMENT AREAS

An act to provide for management of the Sun River, Ear Mountain, and Blackleaf wildlife management areas; requiring employment of a manager, one assistant, and an equivalent of one full-time employee; and establishing their responsibilities.

Committee Hearings: House Fish & Game, House Appropriations
Senate Fish & Game
Second Reading Votes: House 77-12
Third Reading Votes: House 63-29
Tabled in Senate Committee.

HB 464 Cobb

APPOINTMENT OF MANAGERS FOR WILDLIFE MANAGEMENT AREAS

An act to require appointment of a manager for the Judith River Wildlife Management Area, as designated and operated by the Department of Fish, Wildlife, and Parks.

Committee Hearings: House Fish & Game
Failed Second Reading in House 44-51.

HJR 20 Grady

RESOLUTION URGING SUPPORT OF WALLEYE FISHING OPPORTUNITIES

A joint resolution of the Senate and the House of Representatives of the State of Montana requesting the Department of Fish, Wildlife and Parks to promote projects to increase walleye fishing opportunities.

Committee Hearings: House Fish & Game
Failed Second Reading in House 18-79.

SB 62 Gage

ALLOWS DISABLED PERSON TO USE CROSSBOW DURING ARCHERY SEASON

An act to allow certain disabled persons to use a crossbow during a special archery season.

Amending section 87-2-803, MCA

Committee Hearings: Senate Fish & Game
Died in Senate committee.

SB 81 Weeding

PERMITS COMMERCIAL FISHING OF THE GAME FISH CISCO

An act to permit commercial fishing of the game fish cisco.

Amending sections 87-3-204, 87-4-601, and 87-4-605, MCA

Committee Hearings: Senate Fish & Game
Senate Adverse Committee Report adopted 41-8.

SB 107 Farrell

SAFETY CRITERIA FOR NO-SHOOTING AREAS

An act to establish safety criteria which must be considered by the Fish and Game Commission in restricting use of firearms on lands and waters under its jurisdiction.

Amending section 87-1-303, MCA

Committee Hearings: Senate Fish & Game
Senate Adverse Committee Report adopted 48-2.

SB 352 Mazurek

RESERVES 10 PERCENT OF ANTLERLESS ELK LICENSES FOR DISABLED PERSONS

An act to reserve up to 10 percent of the authorized Class A-7 antlerless elk licenses for non-ambulatory disabled persons.

Amending section 87-2-506, MCA

Committee Hearings: Senate Fish & Game
House Fish & Game
Second Reading Votes: Senate 49-0
Third Reading Votes: Senate 49-0
Tabled in House Committee.

General

Passed

HB 131 Ellison

PROVIDES AUTHORITY FOR DEPARTMENT OF FISH, WILDLIFE, & PARKS
TO SELL EXCESS FISH EGGS

An act to provide authority for the Department of Fish,
Wildlife, and Parks to sell excess fish eggs.

Amending section 87-4-601, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game
Second Reading Votes: House 95-3; Senate 50-0
Third Reading Votes: House 96-3; Senate 48-2

HB 210 Grady

REQUIRES INVESTIGATION OF GAME DAMAGE COMPLAINT WITHIN 48
HOURS

An act to require the Department of Fish, Wildlife, and
Parks to investigate game damage complaints within 48 hours.

Amending section 87-1-225, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game
Second Reading Votes: House 94-2; Senate 50-0
Third Reading Votes: House 96-2; Senate 47-3
Senate amended, House not concurred 72-20.
Free Conference Committee: House 96-1, Senate 46-2.

HB 266 Ream

AMENDMENT OF ENDANGERED SPECIES LIST

An act to authorize the Department of Fish, Wildlife, and
Parks to propose legislation for any addition or deletion of
species of wildlife on the endangered species list.

Amending section 87-5-107, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game
Second Reading Votes: House 92-8; Senate 48-0
Third Reading Votes: House 93-5; Senate 49-0

HB 453 Brandewie

AUTHORIZES DEPARTMENT OF COMMERCE TO REPRESENT TOURISM IN
FLATHEAD LAKE MANAGEMENT

An act to authorize the Department of Commerce to serve as an ombudsman for the tourism industry and recreationists in matters concerning the management of the level of Flathead Lake; and providing an immediate effective date.

Amending section 90-1-104, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 78-19; Senate 50-0
Third Reading Votes: House 81-13; Senate 43-7

HB 465 Cobb

CAPTURE OF GOLDEN EAGLES FOR FALCONRY

An act to allow golden eagles to be captured for the sport of falconry.

Amending section 87-5-205, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game
Second Reading Votes: House 71-25; Senate 32-12
Third Reading Votes: House 58-37; Senate 36-14

HB 526 Schye

HUNTING FEE INCREASES TO FUND WILDLIFE HABITAT PROTECTION

An act to provide for the lease or purchase of land or easements for wildlife habitat and the development and maintenance thereof; to provide funding through hunting license fee increases; to specify the number of nonresident deer "A" licenses that may be sold; providing a delayed effective date; and providing a termination date.

Amending sections 87-2-403, 87-2-504, 87-2-505, 87-2-507, 87-2-701, and 87-2-711, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game
Second Reading Votes: House 62-37; Senate 36-14
Third Reading Votes: House 64-36; Senate 35-15
Senate amended, House concurred 62-36.

HB 530 Ellison

SALE OF RAPTORS FOR BREEDING PURPOSES

An act to permit the sale of progeny raptors held for breeding purposes.

Amending sections 87-5-206 and 87-5-210, MCA

Committee Hearings: House Fish & Game
Senate Fish & Game

Second Reading Votes: House 90-5; Senate 50-0

Third Reading Votes: House 80-12; Senate 46-4

Senate amended, House concurred 88-8.

HB 599 Mercer

APPROPRIATING \$150,000 FOR THE UNIVERSITY OF MONTANA
BIOLOGICAL STATION AT YELLOW BAY

An act appropriating money from the general fund and the Department of Fish, Wildlife, and Parks to the University of Montana for acquisition of equipment and hiring of scientific and administrative personnel for the University of Montana Biological Station at Yellow Bay on Flathead Lake.

Committee Hearings: House Appropriations
Senate Finance & Claims

Second Reading Votes: House 81-5; Senate 50-0

Third Reading Votes: House 84-11; Senate 43-7

Senate amended, House concurred 79-18.

SB 177 Yellowtail

REVISES AND CONTINUES NONGAME WILDLIFE CHECKOFF

An act to revise and continue the nongame wildlife checkoff program; to remove the requirement that checkoff contributions replace license fee funding for the nongame wildlife program; to provide for contingent collection of administrative costs.

Amending sections 87-5-121 and 87-5-123, MCA, and section 7, Chapter 627, Laws of 1983.

Committee Hearings: Senate Fish & Game
House Taxation

Second Reading Votes: Senate 40-4; House 63-31

Third Reading Votes: Senate 47-3; House 65-28

SB 320 Brown

WILDLIFE MITIGATION TRUST FUND

An act to establish a Fish and Wildlife Mitigation Trust Fund; to establish the Department of Fish, Wildlife, and Parks as trustee; and providing an immediate effective date.

Amending sections 17-6-203, 17-6-306, and 17-6-331, MCA

Committee Hearings: Senate Fish & Game
House Taxation

Second Reading Votes: Senate 49-0; House 86-8

Third Reading Votes: Senate 45-4; House 84-8

House amended, Senate concurred 50-0.

Killed

HB 568 Fritz

RESTRICT ENTRY OF WILD BUFFALO FROM YELLOWSTONE PARK

An act to require the Department of Fish, Wildlife, and Parks, in cooperation with the National Park Service, to attempt to develop and implement measures to restrict wild buffalo from Yellowstone National Park from entering Montana.

Committee Hearings: House Fish & Game
Senate Fish & Game

Second Reading Votes: House 80-12

Third Reading Votes: House 87-12

Tabled in Senate Committee.

HB 657 Rapp-Svrcek

REQUIRES HYDROELECTRIC DAM OWNERS TO CONSULT WITH AGENCIES REGARDING FISHERY IMPACTS

An act requiring operators of hydroelectric dams to consult with the Department of Fish, Wildlife, and Parks, Department of Health and Environmental Sciences, and Department of Natural Resources and Conservation concerning the effects of dam operations on fisheries; requiring notice of reservoir drawdowns that would adversely affect fisheries; and providing an immediate effective date.

Committee Hearings: House Natural Resources
Tabled in House Committee.

SB 193 Boylan

AUTHORIZES BEEHIVE OWNERS TO TAKE APIARY-DAMAGING BEARS IF APIARIES ARE PROTECTED WITH ELECTRIC FENCING

An act to authorize owners of bees and apiaries and agents of the owners to take apiary-damaging bears and excepting bee and apiary owners or their agents from criminal liability for taking bears only if the apiaries are protected with electric fencing.

Amending sections 87-3-127 and 87-3-130, MCA

Committee Hearings: Senate Agriculture, Livestock & Irrigation
Tabled in Senate Committee.

SB 265 Bishop

ALLOWS FISH AND GAME COMMISSION TO APPOINT DIRECTOR OF DEPARTMENT

An act to provide that the Fish and Game Commission is the head of the Department of Fish, Wildlife, and Parks; to allow the commission to appoint the director of the department; to revise the method of appointing commission members.

Amending sections 2-15-3401, 2-15-3402, 87-1-101, and 87-1-401, MCA

Committee Hearings: Senate Fish & Game
Senate Adverse Committee Report adopted 45-2.

LAND USE

Forest Lands

Passed

HJR 24 Swift

EXTENDS WESTERN STATES FORESTRY TASK FORCE

A joint resolution of the Senate and the House of Representatives of the State of Montana to send delegates to the Western States Legislative Forestry Task Force.

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 75-18; Senate 37-11

Third Reading Votes: House 72-21; Senate 41-9

HJR 49 Miles

INTERIM STUDY ON FOREST MANAGEMENT AND WATERSHED EFFECTS

A joint resolution of the Senate and House of Representatives of the State of Montana requesting that the Environmental Quality Council conduct an interim study on the relationship between forest management and watershed effects and on the use of best management practices for forestry practices in Montana; and requiring a report of the findings of the study to the 51st Legislature.

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 80-10; Senate 50-0
Third Reading Votes: House 76-14; Senate 38-12

Killed

HB 328 Spaeth

REVISE LAWS RELATING TO THE CONTROL OF TIMBER SLASH AND DEBRIS

An act to generally revise the laws relating to the control of timber slash and debris; and providing an effective date.

Amending sections 76-13-401 through 76-13-403, 76-13-406 through 76-13-411, and 76-13-413, MCA
Repealing section 76-13-404, MCA

Committee Hearings: House Natural Resources
House Adverse Committee Report adopted 75-21.

HB 677 Rapp-Svrcek

SELLING STATE TIMBER AT PRICE IN EXTENSION FORESTRY'S LOG PRICE REPORT

An act prohibiting adjustment of price in a contract for sale of state timber.

Amending section 77-5-204, MCA

Committee Hearings: House Natural Resources
Tabled in House Committee.

HB 781 Cohen

CREATING FOREST WATERSHED MANAGEMENT ACT

The Forest Watershed Management Act; providing for binding cooperative agreements between the Department of State Lands and owners of forest land; requiring the Department of State Lands to adopt and enforce standards for timber harvest operations; and providing that forest land under a cooperative agreement be considered grazing land for the purposes of tax classification and determination of taxable value; and providing effective dates.

Amending sections 15-6-143, 15-7-201, and 15-7-202, MCA

Committee Hearings: House Natural Resources
Tabled in House Committee.

HB 812 Rapp-Svrcek

REQUIRES USE OF FOREST SLASH THAT IS ECONOMICALLY
PRACTICABLE

An act authorizing the Department of State Lands to promote the economic use of forest products; requiring owners of timber and forest lands to make slash available for public use; establishing liability limitations for owners of timber and forest lands; and providing an immediate effective date.

Amending sections 76-13-401 and 76-13-403, MCA

Committee Hearings: House Natural Resources
Tabled in House Committee.

SB 348 Story

ADDITIONAL ASSESSMENT ON FOREST LAND FOR STATE FIRE
SUPPRESSION FUNDING

An act to provide a charge of 3 cents an acre or a minimum charge of \$3 on forest land, to be collected with fire protection district assessments for use in state fire suppression; and providing an effective date and a retroactive applicability date.

Amending section 76-13-201, MCA

Committee Hearings: Senate Finance & Claims
House Agriculture, Livestock &

Irrigation

Second Reading Votes: Senate 49-0

Third Reading Votes: Senate 44-5

Tabled in House Committee.

Parks and Recreation

Passed

HB 152 Bardanouve

PROPERTY TAXATION OF LAND OWNED BY DEPARTMENT OF FISH,
WILDLIFE, & PARKS

An act to update the property tax billing process for land owned by the Department of Fish, Wildlife, and Parks; to continue the tax-exempt status of state parks, recreation areas, historic sites, and monuments; and providing a retroactive applicability date and an immediate effective date.

Amending section 87-1-603, MCA

Committee Hearings: House Taxation
Senate Fish & Game
Second Reading Votes: House 93-6; Senate 50-0
Third Reading Votes: House 93-4; Senate 50-0
Senate amended, House concurred 90-1.

HB 503 Bradley

EXTENDS LANDOWNER IMMUNITY TO TOURING OF CULTURAL AND
HISTORICAL SITES

An act granting a landowner immunity against claims of persons gratuitously touring or viewing cultural and historical sites and monuments on the landowner's property; excluding from immunity any claims arising from the landowner's willful or wanton misconduct.

Amending section 70-16-301, MCA

Committee Hearings: House Judiciary
Senate Judiciary
Second Reading Votes: House 66-23; Senate 50-0
Third Reading Votes: House 72-18; Senate 50-0
Senate amended, House concurred 93-3.

Killed

HB 378 Cobb

TRANSFER SUPERVISION OF STATE PARKS FROM DEPARTMENT OF FISH,
WILDLIFE, & PARKS TO DEPARTMENT OF STATE LANDS

An act transferring supervision of state parks from the Department of Fish, Wildlife, and Parks to the Department of State Lands; and providing a delayed effective date.

Amending sections 23-1-101, 23-1-102, 23-1-108 23-2-101 through 23-2-103, 87-1-209, 87-1-712, and 87-1-713, MCA

Committee Hearings: House Fish & Game
Tabled in House Committee.

HB 394 Menahan

PROVIDES THAT STATE PRISON RANCH LAND MAY NOT BE SOLD OR LEASED WITHOUT RESTRICTIONS

An act to provide that state land now operated as the Montana State Prison Ranch may not be sold or leased unless a permanent right of public access and continued maintenance of the elk winter range is guaranteed; and providing an immediate effective date.

Amending sections 53-1-202 and 77-2-302, MCA

Committee Hearings: House Fish & Game
Tabled in House Committee.

HB 808 Asay

APPROPRIATES MONEY TO GENERAL FUND FOR THIS FISCAL YEAR FROM VARIOUS TRUSTS

An act to appropriate money from the highway reconstruction, local impact and education, and parks and art acquisition trust accounts to the general fund for the fiscal year ending June 30, 1987; and providing an immediate effective date.

Committee Hearings: House Appropriations
Tabled in House Committee.

State and Public Lands

Passed

HB 29 Bardanouve

MOVING STATE LAND RECORDS TO DEPARTMENT OF STATE LANDS

An act transferring state ownership records from the secretary of state to the Department of State Lands; requiring the Department of State Lands to transfer records of other state property interests to the state agency administering the property; requiring the Department of State Lands to maintain a repository and index of ownership records of state lands; requiring state agencies to file ownership records with the Department of State Lands; granting rule-making authority to the Department of State Lands.

Amending sections 2-6-111, 2-15-401, and 77-1-101, MCA
Repealing sections 2-17-121 through 2-17-126, MCA

Committee Hearings: House State Administration
House Appropriations
Senate State Administration
Second Reading Votes: House 93-0; Senate 49-0
Third Reading Votes: House 97-0; Senate 50-0

Killed

HB 339 Gilbert

REQUIRES POSTING OF LAND ADJACENT TO PUBLIC LAND

An act to require posting at designated intervals along the boundary of private land that is surrounded by public land if entry is prohibited; to provide an exception for checkerboard sections of public and private land.

Amending section 45-6-201, MCA

Committee Hearings: House Fish & Game
Tabled in House Committee.

HB 458 Glaser

ESTABLISHES LEASE OF AGRICULTURAL LAND BASED ON AVERAGE CROP VALUE

An act to establish a lease value for agricultural state land based on average crop value of land in the county wherein the state land is located.

Amending sections 77-6-203, 77-6-209, 77-6-501, and 77-6-506, MCA

Committee Hearings: House Agriculture, Livestock & Irrigation
Tabled in House Committee.

HJR 55 Brown, D.

INTERIM STUDY OF SALES AND EXCHANGES OF STATE LANDS

A joint resolution of the Senate and the House of Representatives of the State of Montana requesting an interim study of the sale and exchange of state lands; and requiring a report of the findings of the study to the 51st Legislature.

Committee Hearings: House Local Government
Tabled in House Committee.

SB 158 Manning

LESSEE OPTION TO PURCHASE STATE CABIN SITE LEASE

An act to provide for sale of state lands comprising leased cabin sites or city or town lots upon request of the lessees thereof.

Amending sections 77-2-301 and 77-2-303, MCA

Committee Hearings: Senate Local Government
Senate Adverse Committee Report adopted 40-9.

SB 316 Hirsch

REVISING REQUIREMENTS FOR SALE OR EXCHANGE OF STATE LAND

An act revising the requirements for sale or exchange of state land within a municipality or within 4 1/2 miles of the municipality; and providing an immediate effective date.

Amending sections 76-3-205, 77-2-205, 77-2-309, and 77-2-312, MCA

Committee Hearings: Senate Local Government
House Local Government

Second Reading Votes: Senate 48-0

Third Reading Votes: Senate 49-0

Tabled in House Committee.

Subdivisions

Passed

HB 722 Cobb

REQUIRES INSPECTION OR CERTIFICATION OF PUBLIC WATER
SUPPLY/SEWAGE SYSTEMS

An act requiring certification of public water supply and sewage disposal systems for subdivisions under Title 76, chapter 4; and providing an effective date.

Amending section 76-4-107, MCA

Committee Hearings: House Local Government
Senate Local Government

Second Reading Votes: House 82-4; Senate 50-0

Third Reading Votes: House 88-3; Senate 48-1

HB 783 Brandewie

LIMITS REVIEW FOR ACCESS TO DIVISIONS OF LAND

An act to substantially limit requirements for review of divisions of land for access and easements; and providing an immediate effective date.

Amending sections 76-3-505 and 76-3-609, MCA

Committee Hearings: House Local Government
Senate Local Government
Second Reading Votes: House 84-7; Senate 50-0
Third Reading Votes: House 88-4; Senate 49-0

SB 180 Harding

RECORDING INSTRUMENTS RELATING TO LAND SUBJECT TO SURVEY REQUIREMENT

An act providing an exemption from subdivision survey requirements in certain circumstances for purposes of recording instruments relating to land; and providing an immediate effective date.

Amending section 76-3-302, MCA

Committee Hearings: Senate Local Government
House Local Government
Second Reading Votes: Senate 49-0; House 87-0
Third Reading Votes: Senate 47-0; House 95-1
House amended, Senate concurred 49-0.

Killed

SB 135 Bishop

EXEMPTS RELOCATION OF COMMON BOUNDARY LINE FROM SUBDIVISION AND PLATTING ACT

An act exempting the relocation of a common boundary line between lots within and adjoining platted subdivisions from the Montana Subdivision and Platting Act.

Amending section 76-3-207, MCA

Committee Hearings: Senate Local Government
House Local Government
Second Reading Votes: Senate 49-1
Third Reading Votes: Senate 50-0
House Adverse Committee Report adopted 67-1.

HB 809 Iverson

MAJOR REVISION OF SUBDIVISION LAWS

Tabled in House Local Government Committee.

Other

Passed

HB 343 Donaldson

GIVES A REBUTTABLE PRESUMPTION TO CERTAIN FLOODWAY AND FLOODPLAIN DESIGNATIONS

An act providing a rebuttable presumption that designations of floodplains and floodways made according to a flood hazard boundary map are based on reasonable hydrological certainty; and providing an immediate effective date.

Amending section 76-5-202, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 88-3; Senate 49-0

Third Reading Votes: House 81-4; Senate 50-0

SB 329 Blaylock

GENERALLY REVISING THE MONTANA NATURAL AREAS ACT OF 1974

An act generally revising the Montana Natural Areas Act of 1974; and providing an immediate effective date and a termination date.

Amending sections 17-7-502, 76-12-102, 76-12-104, 76-12-107, 76-12-112, and 76-12-115, MCA

Repealing sections 76-12-105, 76-12-106, 76-12-113, and 76-12-114, MCA

Committee Hearings: Senate Natural Resources
House Natural Resources

Second Reading Votes: Senate 24-21; House 62-30

Third Reading Votes: Senate 26-24; House 70-27

House amended, Senate concurred 41-8.

Killed

HB 715 Cobb

REMOVES MINES, MILLS, AND SMELTERS FROM THE EMINENT DOMAIN LAWS

An act to remove mines, mills, and smelters for the reduction of ores from the eminent domain laws and the definition of public uses; and providing an immediate effective date.

Amending sections 70-30-102 and 70-30-104, MCA
Repealing sections 82-2-201 through 82-2-212, and 82-2-221
through 82-2-224, MCA

Committee Hearings: House Judiciary
Tabled in House Committee.

MINERAL DEVELOPMENT

Exploration, Operation and Reclamation

Passed

HB 230 Hanson, M.

GENERALLY REVISES THE STRIP AND UNDERGROUND MINE RECLAMATION
ACT

An act to generally revise the Montana Strip and Underground
Mine Reclamation Act in order to bring the act into
compliance with federal law.

Amending sections 82-4-203, 82-4-222, and 82-4-223, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 100-0; Senate 47-0
Third Reading Votes: House 95-1; Senate 48-0

HB 246 Cobb

REQUIRING WELL-SPACING UNIT; POOLING APPLICANTS TO GIVE
ACTUAL NOTICE

An act to require applicants for the establishment of a well
spacing unit for an oil or gas well or for the pooling of
interests in a well spacing unit to give written notice to
inform parties affected by the application.

Amending section 82-11-141, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 95-0; Senate 50-0
Third Reading Votes: House 91-1; Senate 49-0

HB 370 Asay

GENERALLY REVISES LAWS RELATING TO THE OPENCUT MINING ACT

An act to generally revise the laws relating to the Opencut Mining Act.

Amending sections 82-4-402, 82-4-403, 82-4-423, 82-4-431, 82-4-433, 82-4-434, and 82-4-441, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 83-11; Senate 50-0

Third Reading Votes: House 83-8; Senate 49-0

HB 795 Gilbert

INCORPORATES REGULATION OF CLASS II INJECTION WELLS IN THE OIL AND GAS LAWS

An act to generally revise the oil and gas conservation laws to incorporate regulation of class II injection wells as defined by the federal Environmental Protection Agency; establishing an injection well operating fee; appropriating funds; and providing an immediate effective date.

Amending sections 82-11-101, 82-11-111, 82-11-123, 82-11-141, 82-11-142, 82-11-147, and 82-11-148, MCA

Committee Hearings: House Natural Resources
Senate Taxation, Senate Finance &

Claims

Second Reading Votes: House 93-4; Senate 50-0

Third Reading Votes: House 91-5; Senate 50-0

HJR 6 Schye

REQUESTS ENVIRONMENTAL PROTECTION AGENCY TO REVISE UNDERGROUND SALT WATER INJECTION POLICY/ JUDITH RIVER FORMATION

A joint resolution of the Senate and the House of Representatives of the State of Montana requesting the U.S. Environmental Protection Agency, Region VIII, to revise its policy concerning underground salt water injection into the Judith River formation on the Fort Peck reservation and to establish a monitoring and data collection program.

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 87-3; Senate 50-0

Third Reading Votes: House 90-3; Senate 50-0

Killed

HB 62 Nathe

PROVIDES THAT RECORDING IS NOTICE OF OIL LEASE TERM; ALLOWS
EXTENSION FOR CONTINGENCY

An act providing that recording of an oil, gas, or mineral
lease is notice to the public and that recording of an
affidavit of occurrence of a contingency stated in the lease
extends the term of the lease.

Committee Hearings: House State Administration
Died in House. Failed to meet transmittal deadline.

HB 629 Ream

GENERALLY REVISES THE METAL MINE RECLAMATION LAWS

An act to generally revise the laws relating to metal mine
reclamation.

Amending sections 82-4-303, 82-4-305, and 82-4-335, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 87-5

Third Reading Votes: House 81-5

Senate Adverse Committee Report adopted 29-6.

HB 879 Cobb

APPROPRIATION TO STUDY THE ENVIRONMENTAL IMPACTS OF OIL AND
GAS DRILLING

An act appropriating funds for a programmatic review of the
environmental impacts of oil and gas drilling and production
and related rules and drill permitting requirements of the
Board of Oil and Gas Conservation; and requiring
participation by the Department of Natural Resources and
Conservation in the review.

Committee Hearings: House Appropriations
Tabled in House Committee.

SB 27 Gage

AWARDS COURT COSTS, ATTORNEY FEES TO PREVAILING PARTY IN
SUIT FOR HARM DONE BY OIL, GAS OPERATION

An act to provide for an award of court costs and reasonable
attorney fees to the prevailing party in an action to
recover for surface owner damage and disruption compensation
for harm done by oil and gas exploration and drilling.

Amending section 82-10-508, MCA

Committee Hearings: Senate Natural Resources
Tabled in Senate Committee.

Local Impact Mitigation

Passed

HB 645 Brown, D.

CLARIFIES IMPACT PLAN SECTION OF HARD-ROCK MINING IMPACT ACT

An act specifying that a large-scale mineral development may cause an influx of people directly related to the area of the development; requiring that a mineral developer in consultation with affected local government units shall ensure that the hard-rock mining impact plan meets statutory requirements; and clarifying that the impact plan is approved without any review by the Hard-Rock Mining Impact Board if no objections are filed within the 90-day review period; and providing an applicability date and an immediate effective date.

Amending sections 82-4-335, 90-6-301, 90-6-307, 90-6-308, and 90-6-403, MCA, and rule 8.104.203A, Administrative Rules of Montana.

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 84-13; Senate 49-0
Third Reading Votes: House 87-13; Senate 45-3

Killed

HB 838 Brown, D.

PROVIDES FOR PASS-THROUGH OF MONEY RECEIVED BY HARD-ROCK MINING IMPACT BOARD

An act to provide for the statutory appropriation and pass-through of money received by the Hard-Rock Mining Impact Board for the local impact of mineral development; and providing an effective date.

Amending sections 17-7-502 and 90-6-304, MCA

Committee Hearings: House Appropriations
Tabled in House Committee.

SB 91 Hammond

EXCLUDES SECONDARY IMPACT PERSONS FROM HARD-ROCK MINING
IMPACT PLANS AND TAX

An act to provide that a hard-rock mining developer's impact plan and local tax payments need not take into account persons moving into the area, other than workers and families of workers constructing and operating the mine; to clarify that the impact plan is approved without any review by the Hard-Rock Mining Impact Board if no objections are filed within 90 days; and providing an immediate effective date.

Amending sections 90-6-301 and 90-6-307, MCA
Repealing 8.104.203A(1), Administrative Rules of Montana

Committee Hearings: Senate Local Government
Died in process in Senate.

SB 221 Weeding

REQUIRES LANDOWNER COMPENSATION WHEN OIL/GAS WELLS
TEMPORARILY ABANDONED

An act to require oil and gas developers to compensate surface owners for loss of productive use and value when a well has been temporarily abandoned for 5 years or more; and providing an immediate effective date.

Amending section 82-10-504, MCA

Committee Hearings: Senate Natural Resources
Senate Adverse Committee Report adopted 41-8.

Other

Passed

HJR 28 Driscoll

SUPPORT FOR EFFORTS TO DEVELOP COMMERCIAL
MAGNETOHYDRODYNAMICS TECHNOLOGY

A joint resolution of the Senate and the House of Representatives of the State of Montana in support of the national effort to advance the development of magnetohydrodynamics technology to a commercially viable stage.

Committee Hearings: House Business & Labor
Senate Business & Industry
Second Reading Votes: House 93-2; Senate 48-0
Third Reading Votes: House 90-1; Senate 49-0

SB 85 Gage

REVISING OIL AND GAS CONSERVATION LAWS

An act providing a statutory appropriation for funds received from bonds for the proper plugging of abandoned or dry wells; deleting the requirement for the filing of statements of crude petroleum and natural gas produced and marketed in the state with the Board of Oil and Gas conservation; deleting the requirement for the Department of Administration's approval of the expenditure of funds by the Board of Oil and Gas Conservation; and providing an immediate effective date.

Amending sections 17-7-502, 82-11-132, and 82-11-135, MCA

Committee Hearings: Senate Natural Resources
House Natural Resources
Second Reading Votes: Senate 49-0; House 90-2
Third Reading Votes: Senate 45-2; House 91-6
House amended, Senate concurred 49-0.

SB 368 Story

EXEMPTING MINES FROM STATE BUILDING CODE

An act exempting mines and mine buildings from the State Building Codes; and providing an immediate effective date.

Amending section 50-60-102, MCA

Committee Hearings: Senate Local Government
House Local Government
Second Reading Votes: Senate 49-1; House 66-32
Third Reading Votes: Senate 45-5; House 71-26

Killed

HB 616 Spaeth

PROVIDES RIGHT OF EMINENT DOMAIN TO OWNERS OF OIL AND GAS LEASES

An act to provide the right of eminent domain to owners of oil and gas leases for roads and pipelines.

Amending sections 70-30-102, 82-2-201 through 82-2-203, and 82-2-205, MCA

Committee Hearings: House Natural Resources
House Adverse Committee Report adopted 93-5.

HB 631 Hayne

REDUCES THE SIZE OF THE BOARD OF OIL AND GAS CONSERVATION

An act to reduce the size of the Board of Oil and Gas Conservation and to amend the qualification requirements for the members; and providing an immediate effective date.

Amending section 2-15-3303, MCA

Committee Hearings: House Natural Resources
Tabled in House Committee.

HB 715 Cobb

REMOVES MINES, MILLS, AND SMELTERS FROM THE EMINENT DOMAIN LAWS

An act to remove mines, mills, and smelters for the reduction of ores from the eminent domain laws and the definition of public uses; and providing an immediate effective date.

Amending sections 70-30-102 and 70-30-104, MCA
Repealing sections 82-2-201 through 82-2-212, and 82-2-221 through 82-2-224, MCA

Committee Hearings: House Judiciary
Tabled in House Committee.

HB 830 Keenan

EXEMPTS ENVIRONMENTAL REVIEWS FROM THE SMALL MINER CONFIDENTIALITY PROVISION

An act to exempt environmental reviews from confidentiality provisions pertaining to small miners.

Amending section 82-4-306, MCA

Committee Hearings: House Natural Resources
Tabled in House Committee.

SB 86 Gage

UNIFORM DORMANT MINERAL INTERESTS ACT

An act adopting the Uniform Dormant Mineral Interests Act; providing a method for terminating dormant mineral interests that impair the marketability of real property; and providing a means of preserving the mineral interest.

Committee Hearings: Senate Natural Resources
Tabled in Senate Committee.

TAXATION OF MINERALS AND ALLOCATION OF MINERAL REVENUES

Coal Severance Tax Rates

Passed

HB 252 Hanson, M.

REDUCING COAL SEVERANCE TAX

An act lowering coal severance tax rates; providing a contingent permanent reduction; extending the new production credit; revising legislative findings and declarations of purpose; and providing an effective date and a retroactive applicability date.

Amending sections 15-35-101 through 15-35-104, 15-35-202, and 15-35-203, MCA

Committee Hearings: House Taxation
Senate Taxation

Second Reading Votes: House 66-34; Senate 29-20

Third Reading Votes: House 65-33; Senate 30-20

Governor's amendments: House not concurred 81-14;
Senate concurred 45-5

Free Conference Committee: House 85-13; Senate 46-4.

Killed

HB 14 Nathe

REVISING PROVISIONS FOR REPAYMENT OF COAL BOARD LOANS

An act revising provisions for repayment of Coal Board loans; and providing an immediate effective date.

Amending sections 7-3-1321, 7-6-2211, 7-6-4121, 7-7-2101, 7-7-2402, 7-16-2327, 20-9-509, and 90-6-209, MCA

Committee Hearings: House Taxation
House Adverse Committee Report adopted 95-1.

HB 274 Asay

LOWERING COAL SEVERANCE TAX RATES

An act lowering coal severance tax rates; revising legislative findings and declarations of purpose; and providing and effective date.

Amending sections 15-35-101 through 15-35-103 and 15-35-202 through 15-35-204, MCA

Committee Hearings: House Taxation
Tabled in House Committee.

HB 456 Brown, D.

REVISES RATE OF COAL SEVERANCE TAX; EXTENDS "WINDOW OF OPPORTUNITY" TO 1988

An act generally revising the rate structure of the Montana coal severance tax; imposing a sliding scale rate schedule for surface-mined subbituminous coal based on the amount of coal purchased; extending the "window of opportunity" for the new coal production incentive tax credit to July 1, 1988; requiring the Coal Tax Oversight Subcommittee to conduct a feasibility study on the establishment of a Montana coal development institute; and providing an immediate effective date, a delayed effective date, and an applicability date.

Amending sections 15-23-701, 15-35-102 through 15-35-104, and 15-35-202, MCA

Committee Hearings: House Taxation
Tabled in House Committee.

HB 643 Lory

SETTING THE MAXIMUM SEVERANCE TAX RATE ON SURFACE MINED COAL AT 18.5 PERCENT; DISALLOWING DEDUCTION OF TAXES AND ROYALTIES FROM CONTRACT SALES PRICE

An act setting the maximum severance tax rate on surface mined coal at 18.5 percent; disallowing deduction of taxes and royalties from contract sales price; and providing applicability dates and an effective date.

Amending sections 15-35-101 through 15-35-103 and 15-35-202, MCA

Committee Hearings: House Taxation
Tabled in House Committee.

HB 827 Winslow

ESTABLISHES A MORATORIUM ON COAL SEVERANCE AND GROSS
PROCEEDS TAXES

An act establishing a moratorium on payment of the coal severance tax and county coal gross proceeds tax and reducing the royalty from state coal leases for low-sulfur coal sold under long-term contracts, with exceptions for contracts terminated prematurely; and providing a delayed effective date.

Amending section 77-3-316, MCA

Committee Hearings: House Taxation
Tabled in House Committee.

HB 857 Raney

REVISES METHODS OF TAXING COAL

An act generally revising the taxation of coal; reducing the coal severance tax; imposing a tax on the net profits derived from mining coal; and providing effective dates.

Amending sections 15-35-101 through 15-35-104, MCA
Repealing sections 15-35-106 and 15-35-201 through 15-35-205, MCA

Committee Hearings: House Taxation
Tabled in House Committee.

SB 3 Keating

CONSTITUTIONAL AMENDMENT TO DISCONTINUE DEPOSITS TO COAL TAX
TRUST FUND

An act to submit to the qualified electors of Montana an amendment to Article IX, section 5, of the Montana Constitution to reduce from 50 percent to 25 percent the amount of coal severance tax collections dedicated to the Coal Severance Tax Trust Fund.

Committee Hearings: Senate Taxation
House Taxation

Second Reading Votes: Senate 22-28; House 53-47

Third Reading Votes: Senate 20-29; House 52-48

House amended, Senate concurred 31-18.

Third Reading Votes: Senate 29-20 (Per Joint Rule 6-18)
Bill failed; did not receive necessary two-thirds vote of
Legislature.

SB 56 Keating

REVISES COAL TAX BASED ON COAL TYPE AND PRODUCTION METHOD --
REPEALS "WINDOW OF OPPORTUNITY"

An act revising the coal severance tax rate based on the type of coal and method of production; repealing the new coal production incentive tax credit; and providing an effective date and an applicability date.

Amending sections 15-35-102 and 15-35-103, MCA
Repealing sections 15-35-201 through 15-35-205, MCA

Committee Hearings: Senate Taxation
Died in Senate committee.

SB 387 Eck

MAKES TAX PAYMENT PERIOD MORE FREQUENT FOR WITHHOLDING COAL,
OIL, AND GAS TAXES

An act making the reporting and tax payment period more frequent for withholding taxes, coal severance taxes and oil and gas severance taxes; and providing effective dates.

Amending sections 15-1-501, 15-30-204, 15-35-102, 15-35-104, 15-35-105, 15-35-108, 15-36-102, 15-36-105, 15-36-107, and 15-36-112, MCA

Committee Hearings: Senate Taxation
Tabled in Senate Committee.

Other Mineral Tax Rates

Passed

HB 208 Addy

ALLOWING STATE OIL LESSEES TO DEDUCT PROPORTIONALLY OIL
TRANSPORTATION COSTS

An act allowing state oil lessees to deduct proportionally the costs of transporting oil to market; and providing an applicability date.

Amending section 77-3-432, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 95-0; Senate 50-0
Third Reading Votes: House 98-0; Senate 50-0

HB 776 Nathe

EXEMPTS CERTAIN STRIPPER WELLS AND, FOR THE FIRST 2 YEARS OF PRODUCTION, ALL OTHER WELLS PRODUCING PETROLEUM, NATURAL GAS, OR OTHER MINERAL OR CRUDE OIL FROM SEVERANCE TAXES; LOWERS THE SEVERANCE TAX RATE TO 3 PERCENT FOR CERTAIN STRIPPER WELLS

An act to exempt certain stripper wells and, for the first 2 years of production, all other wells producing petroleum, natural gas, or other mineral or crude oil from severance taxes; to lower the severance tax rate to 3 percent for certain stripper wells; and providing an immediate effective date, a retroactive applicability date, and a contingent termination date.

Amending sections 15-23-607, 15-23-612, 15-36-101, and 15-36-121, MCA

Committee Hearings: House Taxation
Senate Taxation

Second Reading Votes: House 64-36; Senate 32-16

Third Reading Votes: House 66-33; Senate 35-15

Senate amended, House concurred 85-11.

Governor amended: House concurred 73-20, Senate 48-0.

SB 66 Gage

REDEFINES NEW PRODUCTION FOR PURPOSES OF THE NET PROCEEDS TAX ON OIL AND GAS

An act redefining "new production" of natural gas, petroleum, or other crude or mineral oil for purposes of determining the net proceeds tax on such production; and providing a retroactive applicability date and an immediate effective date.

Amending section 15-23-601, MCA

Committee Hearings: Senate Taxation
House Natural Resources

Second Reading Votes: Senate 31-10; House 44-37

Third Reading Votes: Senate 46-3; House 68-24

SB 262 Gage

REVISES THE DEFINITION OF NEW PRODUCTION OF OIL AND GAS

An act to revise the definition of new production of natural gas, petroleum, or other crude or mineral oil to reflect how leases that include land both inside and outside of a pooled or unitized area must be considered for taxation purposes; and providing a retroactive applicability date and an immediate effective date.

Amending section 15-23-601, MCA

Committee Hearings: Senate Natural Resources
House Natural Resources

Second Reading Votes: Senate 49-0; House 93-1

Third Reading Votes: Senate 49-0; House 91-6

SB 383 Gage

NEW PRODUCTION AND STRIPPER WELL EXEMPTION FROM NET PROCEEDS TAXES

An act defining "interim production" of petroleum, oil, and natural gas; revising the definition of "new production" of petroleum, oil, and natural gas; extending the uniform rate of net proceeds taxation to interim production and redefined new production; providing for the exemption from net proceeds taxes for 12 months for new production from natural gas, petroleum, and oil wells; providing for prorating of deductions to determine net proceeds; providing for quarterly payment of interim production and new production net proceeds taxes; revising the definition of "taxable valuation" as it applies to county classification; and providing an immediate effective date and a retroactive applicability date.

Amending sections 7-1-2111, 7-7-2101, 7-7-2203, 7-14-2524, 7-14-2525, 7-16-2327, 15-6-208, 15-16-102, 15-16-121, 15-23-601 through 15-23-605, 15-23-607, 15-23-612, 15-23-613, 20-9-141, 20-9-331, 20-9-333, 20-9-352, 20-9-501, and 20-10-144, MCA

Committee Hearings: Senate Taxation
House Taxation

Second Reading Votes: Senate 50-0; House 71-27

Third Reading Votes: Senate 46-4; House 67-26

House amended, Senate concurred 50-0.

Governor amended: Senate concurred 49-0; House concurred 74-18.

Killed

SB 89 Keating

REDUCING THE RESOURCE INDEMNITY TRUST TAX RATE FROM 0.5 PERCENT TO 0.1 PERCENT

An act to reduce the rate of the resource indemnity trust tax from 1/2 of 1 percent to 1/10 of 1 percent; and providing a retroactive applicability date.

Amending section 15-38-104, MCA

Committee Hearings: Senate Taxation
Senate Adverse Committee Report adopted 40-9.

SB 347 Smith, E.

CLARIFIES METHOD OF COMPUTING OIL OR GAS ROYALTY

An act to clarify the method of calculating royalty payments on producing oil or gas leases; to provide that division orders may not vary the terms of an oil or gas lease concerning computation of the royalty payment.

Amending section 82-10-104, MCA

Committee Hearings: Senate Natural Resources
Tabled in Senate Committee.

SB 384 McCallum

REVISES THE DEFINITION OF GROSS VALUE OF PRODUCT FROM METAL MINES

An act revising the definition of "gross value of product" for purposes of making consistent the method of computing the metalliferous mines license tax and the resource indemnity trust tax; and providing for a delayed effective date and an applicability date.

Amending sections 15-37-102, 15-37-103, and 15-37-105, MCA

Committee Hearings: Senate Taxation
Second Reading Votes: Senate 37-7
Third Reading Votes: Senate 46-4
Died in process in House.

SB 387 Eck

MAKES TAX PAYMENT PERIOD MORE FREQUENT FOR WITHHOLDING COAL, OIL, AND GAS TAXES

An act making the reporting and tax payment period more frequent for withholding taxes, coal severance taxes and oil and gas severance taxes; and providing effective dates.

Amending sections 15-1-501, 15-30-204, 15-35-102, 15-35-104, 15-35-105, 15-35-108, 15-36-102, 15-36-105, 15-36-107, and 15-36-112, MCA

Committee Hearings: Senate Taxation
Tabled in Senate Committee.

Allocation of Coal Severance Tax Revenues

Passed

HB 12 Nathe

CORRECTING REFERENCES TO COAL SEVERANCE TAX ALLOCATIONS

An act correcting references to allocations of portions of the proceeds of the coal severance tax.

Amending sections 20-9-343, 85-1-603, and 90-2-124, MCA

Committee Hearings: House Taxation
Senate Taxation

Second Reading Votes: House 94-0; Senate 48-0

Third Reading Votes: House 95-0; Senate 50-0

HB 434 Donaldson

SUPPLEMENTAL APPROPRIATIONS TO VARIOUS STATE AGENCIES FOR CURRENT FISCAL YEAR

An act appropriating money to various state agencies for the fiscal year ending June 30, 1987; transferring \$35 million from the local impact and education trust fund account to the general fund; and providing an immediate effective date.

Committee Hearings: House Appropriations
Senate Finance & Claims

Second Reading Votes: House 69-29; Senate 33-17

Third Reading Votes: House 73-23; Senate 35-15

Senate amended, House concurred 61-28.

HB 700 Bradley

PROVIDES AUTHORITY TO ISSUE SCIENCE AND TECHNOLOGY DEVELOPMENT SEED CAPITAL FUND BONDS

An act providing authority to the Montana Science and Technology Development Board to issue science and technology development seed capital fund bonds to finance technology investments; creating necessary funds and accounts; making statutory appropriations of certain money; authorizing transfer of a portion of the Coal Severance Tax Permanent Trust Fund; providing for audits of the board; and providing an immediate effective date.

Amending sections 17-7-502, 90-3-203, 90-3-302, and 90-3-304, MCA

Committee Hearings: House Taxation
Senate Taxation

Second Reading Votes: House 95-0; Senate 38-12

Third Reading Votes: House 92-0; Senate 41-9

HB 889 Winslow

ESTABLISHES MONTANA GROWTH THROUGH AGRICULTURE ACT--CREATE A MONTANA AGRICULTURE DEVELOPMENT COUNCIL--APPROPRIATE MONEY FROM THE COAL SEVERANCE TAX TRUST FUND TO THE COUNCIL

An act to create a Montana Agriculture Development Council; to promote innovations in agricultural production, processing, marketing, and distribution and in organizational structures of agricultural businesses; to assist in developing agricultural business incubators; to enhance domestic and foreign agricultural marketing opportunities; to assist exporters of Montana agricultural products.

Amending section 17-7-502, MCA

Committee Hearings: House Agriculture, Livestock & Irrigation
House Appropriations
Senate Finance & Claims

Second Reading Votes: House 85-9; Senate 50-0

Third Reading Votes: House 87-4; Senate 43-6

Senate amended, House concurred 84-10.

SB 83 Mazurek

CHANGING REPORTING REQUIREMENTS FOR ECONOMIC DEVELOPMENT BOARD

An act making reports and publications of the Montana Economic Development Board due on December 31 of each year; eliminating the requirement for a report to the Legislature on potential uses of the Coal Tax Trust; and providing an immediate effective date.

Amending section 17-6-322, MCA

Committee Hearings: Senate Business & Industry
House Business & Labor

Second Reading Votes: Senate 50-0; House 87-9

Third Reading Votes: Senate 48-1; House 95-2

House amended, Senate concurred 47-2.

Killed

HB 10 Cobb

AGRICULTURAL LOAN PROGRAM FUNDED BY COAL SEVERANCE TAX
APPROPRIATION

An act to authorize the Montana Agricultural Loan Authority to make direct loans to qualified agricultural operators; to establish requirements for such loans; to appropriate \$15 million from the Coal Severance Tax Trust Fund to make the loans; and providing an effective date.

Amending sections 17-7-502 and 80-12-103, MCA

Committee Hearings: House Agriculture, Livestock &
Irrigation

House Adverse Committee Report adopted 54-34.

HB 32 Kitselman

AUTHORIZING COAL SEVERANCE TAX BONDS TO FINANCE PUBLIC WORKS

An act expanding the purpose of coal severance tax bonds to include public works generally; providing for grants and loans to local governments for public works projects; and providing an effective date.

Amending sections 15-35-108, 17-5-701, 17-5-702, 17-5-706,
17-5-719, and 85-1-603, MCA

Committee Hearings: House Taxation
Tabled in House Committee.

HB 56 Asay

EXPANDING PURPOSES FOR COAL BOARD GRANTS AND LOANS

An act expanding the purposes for which the Coal Board may award grants and loans; and providing an effective date.

Amending sections 90-6-201 and 90-6-205, MCA

Committee Hearings: House Taxation
Senate Taxation

Second Reading Votes: House 88-8

Third Reading Votes: House 91-5

Died in Senate Committee.

HB 97 Asay

AUTHORIZING COAL BOARD LOANS FOR PUBLIC WORKS PROJECTS
STATEWIDE

An act authorizing the Coal Board to finance local government public works projects on a statewide basis.

Amending sections 90-6-201 and 90-6-205 through 90-6-209,
MCA

Committee Hearings: House Taxation
Tabled in House Committee.

HB 148 Donaldson

TRANSFERS EDUCATIONAL TRUST FUND MONEY TO GENERAL FUND

An act transferring the amount of revenue collected from 2 calendar quarters of coal severance tax collections from the permanent trust fund to the general fund; and providing an immediate effective date and a termination date.

Amending section 17-5-703, MCA

Committee Hearings: House Taxation
Tabled in House Committee.

HB 216 Daily

ALLOWING APPROPRIATION TO FOUNDATION PROGRAM OF PERMANENT
COAL TRUST FUNDS

An act establishing a mechanism for appropriation for education support of a portion of coal severance tax proceeds and of the portion of the permanent trust earnings allocated to the permanent trust; and providing an immediate effective date.

Amending sections 17-5-703, 17-5-704, and 20-9-343, MCA

Committee Hearings: House Taxation
House Adverse Committee Report adopted 63-33.

HB 255 Gilbert

TRANSFERS \$6 MILLION FROM COAL TAX BOND FUND TO HIGHWAY
RECONSTRUCTION TRUST

An act transferring \$6 million of coal severance tax collections that would be deposited in the permanent trust fund to the highway reconstruction trust fund account; and providing an immediate effective date and a termination date.

Amending section 17-5-703, MCA

Committee Hearings: House Taxation
House Adverse Committee Report adopted 75-24.

HB 270 Ramirez

CREATING INFRASTRUCTURE TRUST FUND

An act creating the Montana Infrastructure Trust to finance the construction, preservation, and maintenance of public buildings and facilities and local government infrastructure needs; providing that one-half of the trust be held inviolate and that one-half may be appropriated; and providing a contingent effective date.

Amending sections 15-35-108 and 22-2-304, MCA

Committee Hearings: House Taxation
Tabled in House Committee.

HB 271 Ramirez

AMENDING CONSTITUTION TO ALLOCATE 25 PERCENT OF COAL TAX TO INFRASTRUCTURE

An act amending Article IX, section 5, of the Montana Constitution to require that 25 percent of the coal severance tax revenue, and the interest therefrom, be used for public buildings and facilities and local government infrastructure; changing the amount of coal severance tax revenue to be allocated to the Coal Severance Tax Trust from 50 percent to 25 percent; and providing that the proposed amendment be submitted to the electors of the State of Montana.

Committee Hearings: House Taxation
Tabled in House Committee.

HB 288 Pistoria

CONSTITUTIONAL AMENDMENT DEVOTING 5 PERCENT OF COAL TAX TO LOCAL GOVERNMENTS

An act to submit to the qualified electors of Montana amendments to Article IX of the Montana Constitution to require the Legislature, for a period of 10 years, to dedicate 5 percent of the coal severance tax to a local government account and to reduce to 45 percent the amount of the coal severance tax required to be dedicated to the trust fund; and providing a contingent effective date.

Committee Hearings: House Taxation
Tabled in House Committee.

HB 289 Pistoria

ALLOCATING 5 PERCENT OF COAL SEVERANCE TAX TO LOCAL GOVERNMENTS

An act implementing the constitutional amendments in HB 288, which amendments reduce to 45 percent the portion of the coal severance tax allocated to the permanent trust fund and dedicate 5 percent to local governments; and providing a delayed contingent effective date.

Amending section 15-35-108, MCA

Committee Hearings: House Taxation
Tabled in House Committee.

HB 862 Winslow

MONTANA PROGRESSIVE DEVELOPMENT ACT

An act to revitalize the Montana economy by investing coal severance tax proceeds for jobs and development; to appropriate money to the various programs; and providing and effective date.

Amending section 15-35-108, MCA

Committee Hearings: House Business & Labor
Senate Finance & Claims

Second Reading Votes: House 85-4

Third Reading Votes: House 83-10

Senate Adverse Committee Report adopted 40-6.

HB 891 Williams, M.

APPROPRIATION OF COAL TRUST MONEY FOR FISCAL YEARS 1988 AND 1989

An act appropriating funds from the Coal Severance Tax Permanent Fund for fiscal years 1988 and 1989; and providing an immediate effective date.

Committee Hearings: House Appropriations
Failed Second Reading in House 50-50.

HB 899 Cobb

DIRECTS LOANS TO BUSINESSES FROM COAL TAX REVENUE

An act to authorize the Montana Economic Development Board to make direct loans to qualified business operations; establishing requirements for the loans; appropriating \$40 million from the Coal Severance Tax Trust Fund to make the loans; and providing an effective date.

Amending sections 2-15-1805 and 17-7-502, MCA

Committee Hearings: House Appropriations
Tabled in House Committee.

PROMOTES ECONOMIC DEVELOPMENT THROUGH INVESTMENT IN NEW TECHNOLOGY

An act to enhance economic development in Montana through investments in research and development projects within the Montana university system that apply new technology; to allow the Montana Science and Technology Development Board to invest in such projects; to establish criteria for such investments; providing an appropriation; and providing an effective date.

Amending section 90-3-102, MCA

Committee Hearings: House Appropriations
Senate Business & Industry
Second Reading Votes: House 92-6
Third Reading Votes: House 92-4
Tabled in Senate Committee.

SB 1 Anderson, Jr.

BEACH-WIBAUX PLANT IMPACT ASSISTANCE INTERSTATE COMPACT

An act creating a Beach-Wibaux plant impact assistance interstate compact; creating an interstate commission to administer the compact; and authorizing use of a portion of the coal severance tax proceeds.

Committee Hearings: Senate Taxation
House Taxation
Second Reading Votes: Senate 49-0
Third Reading Votes: Senate 48-1
Tabled in House Committee.

Allocation of Other Mineral Tax Revenues

Passed

HB 6 Thoft

RESOURCE INDEMNITY TRUST GRANTS PROGRAM

An act appropriating money to the Department of Natural Resources and Conservation for grants for designated projects under the Resource Indemnity Trust Grants Program; prioritizing grants and amounts; and establishing conditions for grants.

Committee Hearings: House Appropriations
Senate Finance & Claims
Second Reading Votes: House 84-11; Senate 49-0
Third Reading Votes: House 85-11; Senate 50-0
Senate amended, House concurred 81-9

HB 7 Thoft

WATER DEVELOPMENT PROGRAM GRANTS AND LOANS

An act to appropriate money to the Department of Natural Resources and Conservation for loans and grants under the water development program and the renewable resource program; to authorize loans from water development bond proceeds and appropriate funds for debt service; to reauthorize grants and loans approved by the 1985 Legislature; to approve the issuance of State of Montana coal severance tax bonds to provide funds for loans to political subdivisions and local governments for certain approved water development projects; to reauthorize State of Montana coal severance tax bonds for certain projects approved by the 1985 Legislature; to appropriate coal severance tax income for debt service; to authorize the creation of a state debt; to reallocate certain resource indemnity trust account interest income for water development program grants during the biennium ending June 30, 1989; to place certain conditions upon grants and loans; and providing an immediate effective date.

Committee Hearings: House Appropriations
Senate Finance & Claims
Second Reading Votes: House 87-11; Senate 44-4
Third Reading Votes: House 83-6; Senate 46-4

HB 513 Daily

ALLOW PROCEEDS OF DISPUTED MINES TAX TO BE USED TO SECURE
LOCAL BOND ISSUES

An act providing that certain proceeds received from the settlement of disputed taxes from the mines net proceeds tax and the metal mines gross proceeds tax do not constitute the payment of delinquent taxes or money arising from the taxation of property; authorizing such proceeds allocated to school building funds or used to secure bonds for local government facilities; and providing an applicability date and an immediate effective date.

Committee Hearings: House Taxation
Senate Taxation
Second Reading Votes: House 97-0; Senate 48-0
Third Reading Votes: House 94-1; Senate 50-0

SB 373 Blaylock

RECLAMATION AND DEVELOPMENT GRANTS PROGRAM ACT

An act establishing the Reclamation and Development Grants Program; specifying allocations from the interest income of the Resource Indemnity Trust Fund to the Reclamation and Development Grants Program and the Renewable Resource Development Program; and providing effective dates.

Amending sections 15-38-102, 15-38-202, 75-1-1101, 76-14-112, and 90-2-111, MCA

Repealing sections 75-1-1102, 75-1-1111, 75-1-1112, and 90-2-113, MCA

Committee Hearings: Senate Natural Resources
House Natural Resources

Second Reading Votes: Senate 48-2; House 76-0

Third Reading Votes: Senate 49-0; House 88-10

Killed

HB 681 Daily

TRANSFERRING SUPERFUND PROGRAM AND RESOURCE INDEMNITY TRUST GRANT PROGRAM FROM DEPARTMENT OF HEALTH & ENVIRONMENTAL SCIENCES/DEPARTMENT OF NATURAL RESOURCES & CONSERVATION TO DEPARTMENT OF STATE LANDS

An act transferring the administration of state participation in the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 from the Department of Health and Environmental Sciences to the Department of State Lands; transferring administration of the Resource Indemnity Trust Grants Program from the Department of Natural Resources and Conservation to the Department of State Lands; and providing an effective date.

Amending sections 75-1-1101, 75-1-1102, and 75-1-1112, MCA

Committee Hearings: House State Administration
House Adverse Committee Report adopted 79-17.

HB 688 Brown, D.

WAIVES ROYALTY FOR OIL AND GAS LEASES ON STATE LANDS

An act waiving oil and gas royalties on state lands for leases granted after June 1, 1987; and providing an immediate effective date and a termination date.

Amending sections 77-3-432, 77-3-434, and 77-3-435, MCA

Committee Hearings: House Taxation
Tabled in House Committee.

SB 208 Keating

REQUIRES ROYALTY PAYMENTS DERIVED FROM SALE OF OIL AND GAS
BE HELD IN TRUST

An act to provide that royalty payments derived from the sale of natural gas, oil, or other related hydrocarbons are trust proceeds; and providing an immediate effective date.

Committee Hearings: Senate Natural Resources
Senate Adverse Committee Report adopted 47-0.

SB 387 Eck

MAKES TAX PAYMENT PERIOD MORE FREQUENT FOR WITHHOLDING COAL,
OIL, AND GAS TAXES

An act making the reporting and tax payment period more frequent for withholding taxes, coal severance taxes and oil and gas severance taxes; and providing effective dates.

Amending sections 15-1-501, 15-30-204, 15-35-102, 15-35-104, 15-35-105, 15-35-108, 15-36-102, 15-36-105, 15-36-107, and 15-36-112, MCA

Committee Hearings: Senate Taxation
Tabled in Senate Committee.

SOLID WASTE AND HAZARDOUS MATERIALS MANAGEMENT

Hazardous Materials

Passed

HB 506 Hansen, S.

PROHIBITING SLAG USE IN ROAD MAINTENANCE

An act prohibiting the use of mineral slag in road sanding.

Committee Hearings: House Highways & Transportation
Senate Highways & Transportation

Second Reading Votes: House 86-9; Senate 47-3

Third Reading Votes: House 86-9; Senate 41-9

Senate amended, House concurred 76-21.

HB 718 Harper

REALLOCATING ENVIRONMENTAL CONTINGENCY ACCOUNT TO
ENVIRONMENTAL QUALITY PROTECTION FUND

An act allocating funds from the interest income of the resource indemnity trust fund to the environmental quality protection fund; specifying uses of the environmental quality protection fund; and providing an effective date.

Amending sections 15-38-202, 75-10-704, and 75-10-715, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 79-11; Senate 50-0

Third Reading Votes: House 82-10; Senate 45-5

Senate amended, House concurred 94-1.

HB 750 Gilbert

REVISING HAZARDOUS CHEMICAL RIGHT-TO-KNOW LAW

An act revising the Employee and Community Hazardous Chemical Information Act; specifying the relationship of the act to federal laws; specifying the application of the act to distributors; and providing a contingent effective date.

Amending sections 50-78-103, 50-78-104, and 50-78-301, MCA

Committee Hearings: House Natural Resources
Senate Public Health, Welfare & Safety

Second Reading Votes: House 93-0; Senate 50-0

Third Reading Votes: House 98-0; Senate 50-0

Senate amended, House concurred 97-0.

HJR 44 Pavlovich

REQUESTING STUDY OF PROBLEMS OF HAZARDOUS MATERIALS
INCIDENTS

A joint resolution of the Senate and the House of Representatives of the State of Montana requesting an interim study of the problems associated with hazardous materials incidents, including planning, response, mitigation, and recovery; requiring a report of findings and recommendations to the 51st Legislature.

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 73-15; Senate 34-0

Third Reading Votes: House 79-13; Senate 44-6

Killed

HB 416 Donaldson

CLARIFYING AND EXPANDING UNDERGROUND TANK ENFORCEMENT
AUTHORITY

An act to clarify and expand the scope of enforcement authority in the administration of the underground storage tank program; and providing an immediate effective date.

Amending sections 75-10-402, 75-10-403, 75-10-405, 75-10-410, 75-10-411, 75-10-415, 75-10-416, and 75-10-420, MCA

Committee Hearings: House Natural Resources
Senate Public Health, Welfare & Safety

Second Reading Votes: House 75-16; Senate 18-30

Third Reading Votes: House 78-17

Indefinitely postponed in Senate 27-21.

SB 351 Walker

ENTERING PACIFIC STATES AGREEMENT ON RADIOACTIVE MATERIALS
TRANSPORTATION

An act adopting the Pacific States Agreement of Radioactive Materials Transportation Management; and authorizing the director of the Department of Health and Environmental Sciences to appoint a staff member to serve on the Pacific States Radioactive Materials Transportation Committee.

Committee Hearings: Senate Public Health, Welfare & Safety
Second Reading Votes: Senate 22-26
Indefinitely postponed in Senate.

Hazardous Waste

Passed

HB 467 Ream

AMENDING HAZARDOUS WASTE ACT TO INCORPORATE CHANGES IN
FEDERAL LAW

An act to amend the Montana Hazardous Waste Act to
incorporate, where explicitly needed, changes made in 1984
to the federal Resource Conservation and Recovery Act of
1976.

Amending sections 75-10-405 and 75-10-406, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 94-2; Senate 47-1
Third Reading Votes: House 89-3; Senate 49-0

HB 729 Winslow

REQUIRES PUBLIC HEARING BEFORE COMMENCING OPERATION OF A
COMMERCIAL HAZARDOUS WASTE STORAGE, COLLECTION, OR TRANSFER
FACILITY WHOSE PRIMARY PURPOSE IS TRANSPORTATION AND
TEMPORARY STORAGE OF HAZARDOUS MATERIALS

An act requiring a public hearing before commencing
operation of a commercial hazardous waste storage,
collection, or transfer facility whose primary purpose is
the transportation and temporary storage of hazardous
materials; and providing an effective date.

Amending section 75-10-405, MCA

Committee Hearings: House Natural Resources
Senate Public Health, Welfare & Safety
Second Reading Votes: House 91-1; Senate 48-0
Third Reading Votes: House 96-3; Senate 46-3

HB 760 Ream

AUTHORIZING ISSUANCE OF CERCLA BONDS FOR SUPERFUND REMEDIAL ACTION BY DEPARTMENT OF HEALTH & ENVIRONMENTAL SCIENCES

An act authorizing the issuance and sale of CERCLA general obligation bonds and appropriating the proceeds thereof to the hazardous waste/CERCLA special revenue account for state participation in remedial action under section 104 of the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA) for state costs for maintenance of sites at which remedial action under CERCLA has been completed, and for obtaining matching federal funds for underground storage tank corrective action; providing for an agreement between the Board of Examiners and the Department of Health and Environmental Sciences; and providing an effective date.

Committee Hearings: House Natural Resources,
House Appropriations
Senate Natural Resources

Second Reading Votes: House 93-2; Senate 35-11

Third Reading Votes: House 94-3; Senate 35-15

HB 777 Ream

PROVIDING FUNDING FOR HAZARDOUS WASTE PROGRAMS AND CERCLA PARTICIPATION

An act generally revising funding for hazardous waste management programs of the Department of Health and Environmental Sciences; creating a hazardous waste/CERCLA special revenue account and a CERCLA match debt service account; allocating money from the resource indemnity trust fund to these accounts and specifying their uses; appropriating \$200,000 for expenses related to lawsuits under section 107 of the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended in 1986 (CERCLA); authorizing issuance of CERCLA bonds and providing the form and terms thereof; and providing an effective date.

Amending section 15-38-202, MCA

Committee Hearings: House Natural Resources,
House Appropriations
Senate Natural Resources

Second Reading Votes: House 92-5; Senate 50-0

Third Reading Votes: House 91-6; Senate 50-0

HB 789 Harper

REVISES DEFINITION OF HAZARDOUS WASTE MANAGEMENT FACILITY

An act defining a hazardous waste transfer facility; authorizing the Department of Health and Environmental Sciences to establish regulatory requirements concerning hazardous waste transfer facilities; and providing an immediate effective date and an applicability date.

Amending sections 75-10-403 and 75-10-405, MCA

Committee Hearings: House Business & Labor
Senate Public Health, Welfare & Safety
Second Reading Votes: House 88-7; Senate 49-1
Third Reading Votes: House 93-5; Senate 50-0
Senate amended, House concurred 94-3.

Solid Waste

Passed

HB 762 Brown, J.

CLARIFYING LAWS ON GARBAGE COLLECTION IN ANNEXED AREAS

An act clarifying the law relating to the provision of solid waste disposal services to an area annexed by a municipality; clarifying that the customers of the private motor carrier include persons that move into the area after annexation; clarifying the manner of requesting city services; providing for establishing adequate service.

Amending section 7-2-4736, MCA

Committee Hearings: House Local Government
Senate Local Government
Second Reading Votes: House 76-21; Senate 38-8
Third Reading Votes: House 88-10; Senate 47-3

WATER

Appropriation and Adjudication

Passed

HB 290 Spaeth

**AUTHORIZES DEPARTMENT OF NATURAL RESOURCES & CONSERVATION TO
ISSUE PERMITS FOR LARGE GROUNDWATER USES IN CARBON COUNTY**

An act authorizing the Department of Natural Resources and Conservation to issue two permits for the appropriation of ground water in Carbon County pursuant to section 85-2-317, MCA; and providing an immediate effective date.

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 97-1; Senate 50-0

Third Reading Votes: House 95-1; Senate 50-0

HB 408 Iverson

**PROVIDES THAT RESERVED WATER MUST BE USED IN THE BASIN OF
DIVERSION**

An act clarifying that water may be reserved for existing or future beneficial uses only in the basin where it is reserved unless water proposed for a beneficial use outside the basin where the diversion occurs is not reasonably available under the water leasing program.

Amending section 85-2-316, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 99-0; Senate 50-0

Third Reading Votes: House 99-0; Senate 50-0

REVISES WATER PERMIT LAWS; QUALIFIES MISSOURI BASIN WATER RESERVATIONS

An act revising the permit and utilization provisions of the water use laws; altering the filing and issuance requirements of a certificate of water right; reducing the publication requirement for a permit application; redefining a reasonable period of time to establish bona fide intent; revising the procedure for granting an extension of time for completing an appropriation under a permit or change authorization; expanding authority to expend money from the water right appropriation account; subordinating priority dates of Missouri River Basin reservations in a limited class of cases and extending deadlines for reservations below Fort Peck Dam; revising the compliance provision in the transfer of a water right; and providing an immediate effective date.

Amending sections 85-2-236, 85-2-306, 85-2-307, 85-2-310, 85-2-312, 85-2-318, 85-2-331, 85-2-402, and 85-2-403, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 89-1; Senate 50-0
Third Reading Votes: House 97-2; Senate 50-0
Senate amended, House concurred 96-1.

HB 651 Jenkins

APPROPRIATION RIGHT REDUCTION ASSOCIATED WITH LAND SET ASIDE IS NOT ABANDONMENT

An act providing that a land set aside under a state or federal conservation program and the resulting reduction in use of a water appropriation right does not comprise an intent to abandon part or all of the appropriation right and may not be used to establish a prima facie presumption of abandonment; and providing an immediate effective date.

Amending section 85-2-404, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 93-0; Senate 48-0
Third Reading Votes: House 88-0; Senate 49-0

HB 754 Bradley

PROVIDES APPOINTMENT PROCESS FOR WATER JUDGES AND ESTABLISHES PRIORITY BASINS

An act changing the chief water judge appointment process to expand the population of eligible candidates and to include a judicial nomination commission process; providing for adjudication by priority basins; appropriating money for judicial nomination commission expenses relating to water court appointments; clarifying payment of expenditures for department assistance to water judges; and providing an

effective date.

Amending sections 3-1-1001, 3-1-1006, 3-1-1008, 3-1-1010, 3-1-1011, 3-7-213, 3-7-221, 85-2-243, and 85-2-701, MCA; repealing section 85-2-242, MCA

Committee Hearings: House Judiciary, House Rules
Senate Judiciary

Second Reading Votes: House 50-34; Senate 50-0

Third Reading Votes: House 55-40; Senate 35-15

Senate amended, House not concurred 97-1.

Free Conference Committee: House 85-13, Senate 30-19.

SB 92 Stimatz

AUTHORIZES COMPACT COMMISSION TO CONTINUE NEGOTIATIONS WITH INDIAN TRIBES

An act extending the authority of the Reserved Water Rights Compact Commission to continue negotiations with the Indian tribes until July 1, 1993; and providing an effective date.

Amending sections 85-2-217 and 85-2-702, MCA

Committee Hearings: Senate Natural Resources
House Judiciary

Second Reading Votes: Senate 50-0; House 83-0

Third Reading Votes: Senate 47-1; House 88-4

SB 102 Story

STATES HOW TO USE VOLUME OR FLOW RATE IN DEFINING AN ADJUDICATED WATER RIGHT

An act specifying how volume and flow rate are to be used in a final decree concerning adjudicated water rights; and providing a retroactive applicability date and an immediate effective date.

Amending section 85-2-234, MCA

Committee Hearings: Senate Agriculture, Livestock & Irrigation
House Judiciary

Second Reading Votes: Senate 50-0; House 84-0

Third Reading Votes: Senate 50-0; House 92-0

House amended, Senate concurred 49-0.

SB 151 Galt

AUTHORIZES DEPARTMENT OF NATURAL RESOURCES & CONSERVATION TO ISSUE A LARGE GROUNDWATER PERMIT IN MUSSELSHELL COUNTY

An act authorizing the Department of Natural Resources and Conservation to issue an interim permit for the appropriation of ground water in Musselshell; and providing an effective date. County pursuant to section 85-2-317, MCA.

Committee Hearings: Senate Natural Resources
House Natural Resources
Second Reading Votes: Senate 49-0; House 83-11
Third Reading Votes: Senate 48-0; House 85-12
House amended, Senate not concurred 49-0.
Free Conference Committee: Senate 49-0, House 79-18.

Killed

HB 845 Iverson

AMENDS ADJUDICATION LAWS, INCLUDING DEPARTMENT OF NATURAL
RESOURCES & CONSERVATION'S RELATIONSHIP TO THE WATER COURTS

An act revising the adjudication of water rights laws;
allowing for the amendment of a claim; clarifying the prima
facie evidentiary status of a claim; providing for temporary
preliminary decrees and appeals from these decrees;
providing for enforcement of reissued temporary preliminary
decrees; requiring ownership to be updated prior to issuance
of a preliminary decree; clarifying a requirement to
establish a tabulation of relative rights; providing that
expenses incurred by the Department of Natural Resources and
Conservation in assisting a water judge must be paid from
money appropriated to the chief water judge; clarifying
appeals from final decrees; and providing an immediate
effective date.

Amending sections 3-7-212, 85-2-221, 85-2-227, 85-2-232, 85-
2-234, 85-2-235, 85-2-243, and 85-5-101, MCA
Repealing section 85-2-242, MCA

Committee Hearings: House Natural Resources
Died in House. Failed to meet transmittal deadline.

Development and Irrigation

Passed

HB 7 Thoft

WATER DEVELOPMENT PROGRAM GRANTS AND LOANS

An act to appropriate money to the Department of Natural Resources and Conservation for loans and grants under the water development program and the renewable resource program; to authorize loans from water development bond proceeds and appropriate funds for debt service; to reauthorize grants and loans approved by the 1985 Legislature; to approve the issuance of State of Montana coal severance tax bonds to provide funds for loans to political subdivisions and local governments for certain approved water development projects; to reauthorize State of Montana coal severance tax bonds for certain projects approved by the 1985 Legislature; to appropriate coal severance tax income for debt service; to authorize the creation of a state debt; to reallocate certain resource indemnity trust account interest income for water development program grants during the biennium ending June 30, 1989; to place certain conditions upon grants and loans; and providing an immediate effective date.

Committee Hearings: House Appropriations
Senate Finance & Claims
Second Reading Votes: House 87-11; Senate 44-4
Third Reading Votes: House 83-6; Senate 46-4

HB 286 Spaeth

PERSONAL INJURY AND PROPERTY DAMAGE LIABILITY OF IRRIGATION DISTRICTS

An act regulating the duties and liabilities of irrigation districts and private persons or entities owning or operating irrigation ditches in regard to personal injury and property damage; and providing an applicability date.

Committee Hearings: House Judiciary
Senate Judiciary
Second Reading Votes: House 89-10; Senate 50-0
Third Reading Votes: House 96-3; Senate 49-1
Senate amended, House concurred 86-5.

REVISES USE OF WATER DEVELOPMENT FUNDS

An act to clarify existing law regarding state-owned water projects to specify that administrative costs are distinct from operation and maintenance costs, that project water users are only billed for reimbursement of operation and maintenance costs, and that the department may utilize state grants as reimbursement for public benefits to be derived from the project; to allow these grants to be factored into the required estimate of project costs made prior to construction; to allow the Department of Natural Resources and Conservation to consider water users' ability to repay project construction and rehabilitation costs.

Amending sections 85-1-102, 85-1-206, and 85-1-207, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 97-0; Senate 48-0
Third Reading Votes: House 94-0; Senate 49-0

HB 388 Asay

CLARIFIES THE DETERMINATION OF MARKET VALUE OF WATER PROJECTS

An act to clarify that the Department of Natural Resources and Conservation may sell, lease, or otherwise dispose of water projects without regard to other laws providing for disposition of state property; to clarify that the market value of a state-owned water project must include all encumbrances and limitations on the project, and that the department's authority hereunder may be exercised without regard to other laws providing for disposition of state properties; to remove the reference to the Board of Natural Resources and Conservation to reflect that water bonds may be issued by a variety of authorities; and providing an effective date.

Amending sections 85-1-210 and 85-1-211, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 82-15; Senate 50-0
Third Reading Votes: House 89-10; Senate 50-0
Senate amended, House concurred 96-0.

HB 516 Manuel

REVISES LIMIT ON IRRIGATION DISTRICT BOARD PURCHASE WITHOUT LANDOWNER CONSENT

An act revising the limitation on the amount of a purchase or rental to which an irrigation district board may bind a district without consent of the landowners.

Amending section 85-7-1904, MCA

Committee Hearings: House Agriculture, Livestock &
Irrigation
Senate Agriculture, Livestock &
Irrigation

Second Reading Votes: House 98-0; Senate 49-0

Third Reading Votes: House 96-0; Senate 50-0

HB 661 Spaeth

REDEFINES THE TERM "PROJECT" TO CLARIFY THAT A PROJECT DOES NOT INCLUDE MAINTENANCE AND REPAIR OF EXISTING IRRIGATION FACILITIES

An act further defining the term "project" to clarify that a project does not include maintenance and repair of existing irrigation facilities; and providing an immediate effective date.

Amending sections 75-7-103 and 75-7-117, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 84-4; Senate 50-0

Third Reading Votes: House 91-0; Senate 50-0
Senate amended, House concurred 94-1.

HB 779 Schye

CLARIFIES EVIDENCE OF TITLE FOR PURPOSES OF THE IRRIGATION DISTRICT LAWS

An act clarifying evidence of title for purposes of determining a holder of title to land under the irrigation district laws; and providing an effective date.

Amending section 85-7-102, MCA

Committee Hearings: House Agriculture, Livestock &
Irrigation
Senate Agriculture, Livestock &
Irrigation

Second Reading Votes: House 94-0; Senate 50-0

Third Reading Votes: House 99-0; Senate 41-0
Senate amended, House concurred 98-0.

HB 831 Holliday

REQUIRES LICENSING OF WELL PUMP INSTALLERS AND MONITORING WELL CONSTRUCTORS

An act amending laws relating to the Board of Water Well Contractors; increasing the compensation for board members to \$50 a day; allowing for licensing of monitoring well constructors; requiring bonds for monitoring well constructors; and providing an effective date.

Amending sections 37-43-101, 37-43-102, 37-43-201 through 37-43-203, 37-43-301 through 37-43-303, 37-43-305 through 37-43-308, 37-43-312, 37-43-401, and 37-43-402, MCA
Repealing section 37-43-304, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 86-7; Senate 48-0
Third Reading Votes: House 89-6; Senate 49-0
Senate amended, House concurred 90-6.

HJR 59 Ramirez

DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO REQUEST THE UNITED STATES BUREAU OF RECLAMATION TO REEVALUATE THE FEASIBILITY OF DEVELOPING THE CALAMITY JANE RESERVOIR AND TO EVALUATE OTHER RESERVOIR SITES NEAR BILLINGS FOR RECREATIONAL POTENTIAL AND OTHER BENEFITS

A joint resolution of the Senate and the House of Representatives of the State of Montana directing the Department of Natural Resources and Conservation, in conjunction with an appropriate community entity, to request the U. S. Bureau of Reclamation and other appropriate agencies to reevaluate the feasibility of developing the Calamity Jane Reservoir and to evaluate other reservoir sites near Billings for recreation potential and other benefits; and directing the department to submit a proposal to the 51st Legislature for development of a reservoir if the reservoir is determined to be feasible and cost effective.

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 82-15; Senate 50-0
Third Reading Votes: House 73-24; Senate 50-0

SB 327 Yellowtail, Jr.

AUTHORIZING IRRIGATION DISTRICT REVENUE BONDS

An act to authorize irrigation districts to issue revenue bonds to fund irrigation projects and small power production facilities; and providing an immediate effective date.

Amending sections 85-7-1603, 85-7-1612, and 85-7-2001, MCA

Committee Hearings: Senate Agriculture, Livestock & Irrigation
House Agriculture, Livestock & Irrigation
Second Reading Votes: Senate 50-0; House 93-0
Third Reading Votes: Senate 50-0; House 97-0

SB 379 Yellowtail, Jr.

ALLOWS IRRIGATION DISTRICTS TO CONTRACT WITH THE STATE FOR A
LOAN OF MONEY

An act providing irrigation districts authority to enter into contracts with the State of Montana for the purpose of obtaining loans for irrigation projects from various sources, including the coal severance tax bonding program provided for in Title 17, chapter 5, part 7, to create a sinking fund and invest fund surpluses, and to establish liens against district lands and the irrigation system; authorizing special taxes and assessments for payment of obligations under state contracts; requiring approval of irrigation district landowners prior to the making of a contract with the state; and providing for court review of irrigation district contracts.

Committee Hearings: Senate Judiciary
House Agriculture, Livestock &
Irrigation

Second Reading Votes: Senate 50-0; House 83-14

Third Reading Votes: Senate 50-0; House 89-7

House amended, Senate concurred 48-0.

SJR 9 Jergeson

REQUESTS EQUAL CONSIDERATION FOR HYDROPROJECTS RELATED TO
AGRICULTURE

A joint resolution of the Senate and the House of Representatives of the State of Montana requesting the Department of Natural Resources and Conservation to give equal consideration to hydropower projects associated with agriculture and agricultural projects for private grants and loans under the water development program.

Committee Hearings: Senate Natural Resources
House Natural Resources

Second Reading Votes: Senate 50-0; House 92-5

Third Reading Votes: Senate 45-4; House 94-3

Killed

HB 154 Bradley

PROVIDES A WATER DEVELOPMENT PROGRAM PREFERENCE FOR
AGRICULTURAL PROJECTS

An act directing the Department of Natural Resources and Conservation to give preferential consideration to certain proposals for funding from the water development program; and providing an effective date and a termination date.

Committee Hearings: House Natural Resources
Tabled in House Committee.

HB 496 Bradley

INCREASING PUBLIC CONTRACTOR TAX; CREATING WATER SYSTEM BOARD AND GRANT PROGRAM

An act establishing a grant program for the construction of public water systems; funding the grant program through a gross receipts tax on public contracts; establishing a public water systems account and a public water systems board; and providing an applicability date.

Amending section 15-50-205, MCA

Committee Hearings: House Taxation
Senate Local Government

Second Reading Votes: House 52-47

Third Reading Votes: House 53-45

Senate Adverse Committee Report adopted 29-21.

HB 775 Spaeth

TRANSFERS DEPARTMENT OF NATURAL RESOURCES & CONSERVATION PROPRIETARY WATER FUNCTIONS TO DEPARTMENT OF STATE LANDS

An act to transfer functions relating to state-owned water projects from the Department and Board of Natural Resources and Conservation to the Department of State Lands and Board of Land Commissioners; generally revising the laws to conform to the transfer; and providing an effective date.

Amending sections 85-1-102, 85-1-201, 85-1-204, 85-1-214, 85-1-406, and 85-6-109, MCA

Committee Hearings: House Natural Resources
Tabled in House Committee.

HB 778 Jenkins

IRRIGATION SCHEDULING PROGRAM

An act to allow the Department of Agriculture to assist farmers and ranchers in determining the most efficient scheduling and use of water for irrigation purposes; and providing an immediate effective date.

Committee Hearings: House Agriculture, Livestock &
Irrigation,
House Appropriations

Second Reading Votes: House 69-28

Third Reading Votes: House 82-16

Tabled in House Appropriations Committee.

HJR 30 Lory

AUTHORIZE WATER SYSTEM AT UNIVERSITY OF MONTANA

A joint resolution of the Senate and the House of Representatives of the State of Montana consenting to the construction of a water system at the University of Montana.

Committee Hearings: House Natural Resources
Senate State Administration
Second Reading Votes: House 90-3
Died in Senate Committee.

Quality

Passed

HB 722 Cobb

REQUIRES INSPECTION OR CERTIFICATION OF PUBLIC WATER
SUPPLY/SEWAGE SYSTEMS

An act requiring certification of public water supply and
sewage disposal systems for subdivisions under Title 76,
chapter 4; and providing an effective date.

Amending section 76-4-107, MCA

Committee Hearings: House Local Government
Senate Local Government
Second Reading Votes: House 82-4; Senate 50-0
Third Reading Votes: House 88-3; Senate 48-1

HB 795 Gilbert

INCORPORATES REGULATION OF CLASS II INJECTION WELLS IN THE
OIL AND GAS LAWS

An act to generally revise the oil and gas conservation laws
to incorporate regulation of class II injection wells as
defined by the federal Environmental Protection Agency;
establishing an injection well operating fee; appropriating
funds; and providing an immediate effective date.

Amending sections 82-11-101, 82-11-111, 82-11-123, 82-11-
141, 82-11-142, 82-11-147, and 82-11-148, MCA

Committee Hearings: House Natural Resources
Senate Taxation, Senate Finance &
Claims
Second Reading Votes: House 93-4; Senate 50-0
Third Reading Votes: House 91-5; Senate 50-0

Killed

HB 347 Harper

INCREASE AUTHORITY OF DEPARTMENT OF HEALTH & ENVIRONMENTAL SCIENCES TO ENFORCE LAWS PROTECTING PUBLIC WATER SUPPLIES

An act increasing the authority of the Department of Health and Environmental Sciences to enforce the laws protecting public water supplies; allowing the department to take administrative enforcement action to implement those laws; adding a civil penalty for violation of public water supply laws or of a rule, order, or condition of approval issued pursuant to those laws; and allowing the department to require nonconforming or unsafe water or wastewater systems to take corrective action.

Committee Hearings: House Human Services & Aging
Tabled in House Committee.

HB 348 Harper

PUBLIC WATER SUPPLY PROTECTION--APPROVAL OF DEPARTMENT OF HEALTH & ENVIRONMENTAL SCIENCES FOR CONSTRUCTION

An act clarifying that the Department of Health and Environmental Sciences must approve a water supply, water distribution, sewer, drainage, wastewater, or sewage disposal system before its construction, alteration, or extension is commenced; prohibiting violation of the law or rules protecting public water supplies or of the terms of an approval issued relating to public water supplies.

Amending section 75-6-112, MCA

Committee Hearings: House Human Services & Aging
Tabled in House Committee.

HB 746 Brandewie

REQUIRING LOCAL LICENSES FOR ON-SITE SEWAGE TREATMENT SYSTEMS

An act authorizing local licensing of on-site sewage treatment systems; authorizing establishment of license application fees; and providing penalties for violation.

Committee Hearings: House Natural Resources
Senate Natural Resources
Second Reading Votes: House 90-7
Third Reading Votes: House 96-4
Senate Adverse Committee Report adopted 35-2.

Stream Access

Passed

HB 42 Cobb

CLARIFIES LEGAL STANDARD GOVERNING LANDOWNER LIABILITY

An act to clarify the legal standard governing landowner liability.

Amending sections 23-2-321, 27-1-701, and 70-16-302, MCA

Committee Hearings: House Judiciary
Senate Judiciary

Second Reading Votes: House 97-1; Senate 47-0

Third Reading Votes: House 97-1; Senate 49-0

Senate amended, House concurred 93-3.

Killed

SB 286 Galt

REMOVES UNCONSTITUTIONAL PROVISIONS OF STREAM ACCESS LAW

An act to revise the Stream Access Law to remove provisions declared unconstitutional; to clarify provisions concerning portage routes; and providing an immediate effective date.

Amending sections 23-2-301, 23-2-302, and 23-2-311, MCA

Committee Hearings: Senate Natural Resources
House Natural Resources

Second Reading Votes: Senate 50-0; House 51-38

Third Reading Votes: Senate 48-2; House 55-43

House amended, Senate not concurred 30-19. Died in process.

Other

Passed

HB 343 Donaldson

GIVES A REBUTTABLE PRESUMPTION TO CERTAIN FLOODWAY AND FLOODPLAIN DESIGNATIONS

An act providing a rebuttable presumption that designations of floodplains and floodways made according to a flood hazard boundary map are based on reasonable hydrological certainty; and providing an immediate effective date.

Amending section 76-5-202, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 88-3; Senate 49-0

Third Reading Votes: House 81-4; Senate 50-0

HB 453 Brandewie

AUTHORIZES DEPARTMENT OF COMMERCE TO REPRESENT TOURISM IN FLATHEAD LAKE MANAGEMENT

An act to authorize the Department of Commerce to serve as an ombudsman for the tourism industry and recreationists in matters concerning the management of the level of Flathead Lake; and providing an immediate effective date.

Amending section 90-1-104, MCA

Committee Hearings: House Natural Resources
Senate Natural Resources

Second Reading Votes: House 78-19; Senate 50-0

Third Reading Votes: House 81-13; Senate 43-7

CCXL. SB 28 Lynch

PROPERTY OWNERS' RESPONSIBILITY/LIABILITY FOR WATER SERVICE PIPELINES

An act to clarify a property owner's financial responsibility and liability for maintenance of privately supplied water service pipelines; and directing an amendment to rule 38.5.2502, Administrative Rules of Montana.

Committee Hearings: Senate Local Government
House Local Government

Second Reading Votes: Senate 50-0; House 91-3

Third Reading Votes: Senate 49-1; House 94-2

CCXLI. SB 382 Jergeson

EXEMPT WATER USERS ENTITIES FROM SPECIAL IMPROVEMENT
ASSESSMENTS

An act to exempt from special assessments certain property owned by a nonprofit water company, water users' association, irrigation company, irrigation district, canal company, ditch company, reservoir company, or similar nonprofit water user entity; and providing an immediate effective date and a retroactive applicability date.

Amending section 85-7-2011, MCA

Committee Hearings: Senate Agriculture, Livestock &
Irrigation

House Local Government

Second Reading Votes: Senate 50-0; House 93-3

Senate 50-0; House 94-3

House amended, Senate concurred 49-0.

WEED AND PEST CONTROL

Passed.

HB 61 Harper

REVISES NOXIOUS WEED MANAGEMENT FUNDING

An act to generally revise the noxious weed management funding law; to redefine "herbicide"; to permit expenditure of annual herbicide surcharge proceeds in succeeding fiscal years; and providing an immediate effective date.

Amending sections 80-7-801 and 80-7-812, MCA

Committee Hearings: House Agriculture, Livestock &
Irrigation

Senate Agriculture, Livestock &
Irrigation

Second Reading Votes: House 99-0; Senate 50-0

Third Reading Votes: House 95-0; Senate 49-0

HB 102 Grady

WEED CONTROL FEE ON MOTOR VEHICLES

An act assessing a 50-cent weed control fee upon the annual registration of all motor vehicles subject to registration; allocating the proceeds to be used for chemical and non-chemical noxious weed management; revising the permitted use of noxious weed management funds; and providing an effective date.

Amending section 80-7-814, MCA

Committee Hearings: House Taxation
Senate Taxation

Second Reading Votes: House 67-32; Senate 50-0

Third Reading Votes: House 69-28; Senate 45-5

Senate amended, House not concurred 51-44.

Free Conference Committee: House 81-18; Senate 49-0.

HB 108 Simon

REPEALING LAWS RELATING TO THE CONTROL OF DUTCH ELM DISEASE

An act to repeal the laws relating to the control of dutch elm disease.

Repealing sections 7-22-101 through 7-22-106 and 7-22-111 through 7-22-118, MCA

Committee Hearings: House Agriculture, Livestock &
Irrigation
Senate Agriculture, Livestock &
Irrigation

Second Reading Votes: House 90-9; Senate 40-6

Third Reading Votes: House 85-9; Senate 46-3

HB 220 DeMars

GENERALLY REVISES THE AGRICULTURAL SEED LAWS

An act to generally revise the agricultural seed laws; to permit the Department of Agriculture to define by rule noxious weed seeds that are prohibited or restricted in the Seed Labeling Law; to establish certain licensing requirements; and providing effective dates.

Amending sections 80-5-102 through 80-5-105, 80-5-107 through 80-5-113, 80-5-202, 80-5-204, 80-5-205, and 80-5-207, MCA

Repealing sections 80-5-101, 80-5-106, 80-5-201, and 80-5-203, MCA

Committee Hearings: House Agriculture, Livestock &
Irrigation
Senate Agriculture, Livestock &
Irrigation

Second Reading Votes: House 96-0; Senate 50-0

Third Reading Votes: House 95-0; Senate 41-0

Senate amended, House concurred 99-0.

HB 478 Thomas

LIMITED IMMUNITY FOR WEED DISTRICTS

An act granting weed districts immunity from liability for negligent acts in the use of herbicides; requiring weed districts to make information on herbicides available to the public and to persons using herbicides; and providing applicability and effective dates and a termination date.

Amending section 27-1-701, MCA

Committee Hearings: House Judiciary
Senate Judiciary

Second Reading Votes: House 90-9; Senate 50-0

Third Reading Votes: House 89-11; Senate 47-3

Senate amended, House concurred 86-5.

HB 620 Giacometto

PROVISION FOR HEARING IN CASE OF WEED CONTROL DISPUTE

An act to require notice of a landowner's right to a hearing in a dispute over weed control responsibility; to prevent implementation of weed control measures by the county weed board in such a case, except in an emergency; to provide for determination of liability for the cost of emergency measures.

Amending sections 7-22-2123 and 7-22-2124, MCA

Committee Hearings: House Agriculture, Livestock &
Irrigation
Senate Agriculture, Livestock &
Irrigation

Second Reading Votes: House 88-5; Senate 50-0

Third Reading Votes: House 86-8; Senate 50-0

HB 868 Swysgood

APPROPRIATION FOR VERTEBRATE PEST MANAGEMENT PURPOSES

An act to appropriate money to the Department of Agriculture for vertebrate pest management purposes.

Committee Hearings: House Appropriations
Senate Finance & Claims

Second Reading Votes: House 91-6; Senate 50-0

Third Reading Votes: House 92-6; Senate 50-0

SB 238 Beck

IMPOSES SURCHARGE TO FUND VERTEBRATE PEST MANAGEMENT

An act to impose a surcharge on the retail sale of field rodenticides and to authorize the Department of Agriculture to expend these funds for vertebrate pest management purposes; to establish a Vertebrate Pest Management Advisory Council; and providing an immediate effective date.

Amending section 80-7-1102, MCA

Committee Hearings: Senate Agriculture, Livestock &
Irrigation
House Agriculture, Livestock &
Irrigation

Second Reading Votes: Senate 49-0; House 92-1

Third Reading Votes: Senate 48-0; House 97-1

Killed.

HB 497 Miller

REVISING CHEMICAL, FERTILIZER, AND PETROLEUM LIENS AGAINST
CROPS AND LIVESTOCK

An act repealing crop lien provisions for spraying or
dusting; creating a new lien against crops to secure payment
to suppliers and applicators of agricultural fertilizers and
chemicals and suppliers of fuel and petroleum products;
providing for perfection, enforcement, and satisfaction of
these liens; and providing an immediate effective date.

Amending sections 71-3-711 and 71-3-804, MCA
Repealing sections 71-3-901 through 71-3-909, MCA

Committee Hearings: House Business & Labor
Failed Second Reading in House 40-55.

SUMMARY OF NATURAL RESOURCE LEGISLATION

Subject	Bills and Resolutions			Passed Both Houses	Killed in	
	Introduced	House	Senate		House	Senate
Air Quality	6	6	0	2	4	0
Energy						
Major Facility Siting	5	3	2	4	0	1
Renewable Energy and Conservation	7	7	0	3	3	1
Other	3	3	0	1	2	0
Total	15	13	2	8	5	2
Environmental Quality						
Administration	11	10	1	3	6	2
MEPA	4	2	2	1	2	1
Total	15	12	3	4	8	3
Fish and Wildlife						
Hunting, Fishing,						
Trapping, Outfitting	35	25	10	18	12	5
General	14	10	4	10	1	3
Total	49	35	14	28	13	8

Subject	Bills and Resolutions			Passed Both Houses	Killed in	
	Introduced	House	Senate		House	Senate
Land Use						
Forest Lands	7	6	1	2	5	0
Parks and Recreation	5	5	0	2	3	0
State and Public Lands	6	4	2	1	4	1
Subdivisions	4	2	2	3	1	0
Other	3	2	1	2	1	0
Total	25	19	6	10	14	1
Mineral Development						
Exploration, Operation, and Reclamation	9	8	1	5	2	2
Local Impact Mitigation	4	2	2	1	1	2
Other	8	5	3	3	4	1
Total	21	15	6	9	7	5
Taxation of Minerals and Allocation of Mineral Revenues						
Coal Severance Tax Rates	10	7	3	1	7	2
Other Mineral Tax Rates	9	2	7	5	1	3
Allocation of Coal Severance Tax Revenues	21	19	2	5	13	3
Allocation of Other Mineral Tax Revenues	8	5	3	4	2	2
Total	48	33	15	15	23	10
Solid Waste and Hazardous Materials Management						
Hazardous Materials	6	5	1	4	0	2
Hazardous Waste	5	5	0	5	0	0
Solid Waste	1	1	0	1	0	0
Total	12	11	1	10	0	2
Water						
Appropriation and Adjudication	9	6	3	8	1	0
Development and Irrigation	17	14	3	12	3	2
Quality	5	5	0	2	2	1
Stream Access	2	1	1	1	0	1
Other	4	2	2	4	0	0
Total	37	28	9	27	6	4
Weed and Pest Control						
	9	8	1	8	1	0

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